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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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June 15, 2012

Vol. 37 No. 12 Pages 951–998

IN THIS ISSUE:

PROPOSED RULES

Department of Natural Resources	
Air Conservation Commission	955
Department of Insurance, Financial Institutions and Professional Registration	
Division of Credit Unions	971
State Board of Pharmacy	974

ORDERS OF RULEMAKING

Department of Labor and Industrial Relations	
Division of Employment Security	975
Department of Revenue	
Director of Revenue	975

IN ADDITIONS

Department of Transportation	
Missouri Highways and Transportation Commission	976
CONTRACTOR DEBARMENT LIST	. . . . . 978
DISSOLUTIONS	. . . . . 982

SOURCE GUIDES

RULE CHANGES SINCE UPDATE	. . . . . 983
EMERGENCY RULES IN EFFECT	. . . . . 988
EXECUTIVE ORDERS	. . . . . 989
REGISTER INDEX	. . . . . 991

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
February 1, 2012 February 15, 2012	March 1, 2012 March 15, 2012	March 31, 2012 March 31, 2012	April 30, 2012 April 30, 2012
March 1, 2012 March 15, 2012	April 2, 2012 April 16, 2012	April 30, 2012 April 30, 2012	May 30, 2012 May 30, 2012
April 2, 2012 April 16, 2012	May 1, 2012 May 15, 2012	May 31, 2012 May 31, 2012	June 30, 2012 June 30, 2012
May 1, 2012 May 15, 2012	June 1, 2012 June 15, 2012	June 30, 2012 June 30, 2012	July 30, 2012 July 30, 2012
June 1, 2012 June 15, 2012	July 2, 2012 July 16, 2012	July 31, 2012 July 31, 2012	August 30, 2012 August 30, 2012
July 2, 2012 July 16, 2012	August 1, 2012 August 15, 2012	August 31, 2012 August 31, 2012	September 30, 2012 September 30, 2012
August 1, 2012 August 15, 2012	September 4, 2012 September 17, 2012	September 30, 2012 September 30, 2012	October 30, 2012 October 30, 2012
September 4, 2012 September 17, 2012	October 1, 2012 October 15, 2012	October 31, 2012 October 31, 2012	November 30, 2012 November 30, 2012
October 1, 2012 October 15, 2012	November 1, 2012 November 15, 2012	November 30, 2012 November 30, 2012	December 30, 2012 December 30, 2012
November 1, 2012 November 15, 2012	December 3, 2012 December 17, 2012	December 31, 2012 December 31, 2012	January 30, 2013 January 30, 2013

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1 Department	CSR	10- Agency, Division	1. General area regulated	010 Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbol under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

PROPOSED AMENDMENT

10 CSR 10-5.381 On-Board Diagnostics Motor Vehicle Emissions Inspection. The commission proposes to amend the rule purpose; subsections (1)(B), (3)(A)–(3)(F), (3)(H)–(3)(K), (3)(N), (4)(B), (4)(J), (5)(A), and (5)(B); and section (2). If the commission adopts this rule action, it will be the department's intention to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the

Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: *This rule enacts the provisions of 643.300–643.355, RSMo, and meets the 1990 Federal Clean Air Act Amendments requirement that the ozone state implementation plan contains necessary enforceable measures to maintain the mandatory vehicle emissions inspection and maintenance program. The purpose of the inspection and maintenance program is to reduce and prevent the formation of ground-level ozone from vehicle emissions in the St. Louis nonattainment area. The purpose of this amendment is to add an exemption from the vehicle emissions inspection program for Plug-In Hybrid Electric Vehicles (PHEVs) per 643.315, RSMo, in the St. Louis nonattainment area. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is 643.315, RSMo.*

PURPOSE: *This rule enacts the provisions of [sections] 643.300–643.355, RSMo, and meets the 1990 Federal Clean Air Act Amendments requirement that the ozone state implementation plan contains necessary enforceable measures to maintain the mandatory vehicle emissions inspection and maintenance program. The purpose of the inspection and maintenance program is to reduce and prevent the formation of ground-level ozone [forming] from vehicle emissions in the St. Louis nonattainment area.*

(1) Applicability.

(B) The following vehicles are exempt from this rule:

1. Heavy duty gasoline-powered and heavy duty diesel-powered vehicles that receive a *G/gross /V/vehicle /W/weight /R/rating (GVWR)* exemption described in subsection (4)(I) of this rule;
 2. Light duty gasoline-powered vehicles and trucks manufactured prior to the 1996 model year and light duty diesel-powered vehicles and trucks manufactured prior to the 1997 model year;
 3. Motorcycles and motortricycles;
 4. Vehicles *[which are]* powered exclusively by electric or hydrogen power or by fuels other than gasoline, ethanol (E10 and E85), or diesel;
 5. Motor vehicles registered in an area subject to the inspection requirements of *[sections] 643.300 /to/– 643.355, RSMo*, that are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of *[sections] 643.300 /to/– 643.355, RSMo*, that receive an out-of-area exemption described in subsection (4)(J) of this rule;
 6. New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two (2) years of such calendar year, that have an odometer reading of fewer than six thousand (6,000) miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;
 7. New motor vehicles that have not been previously titled and registered~~/J~~ for the four (4)-year period following their model year of manufacture~~/J~~ that have an odometer reading of fewer than forty thousand (40,000) miles showing at the first required biennial safety inspection. These vehicles qualify for a mileage-based exemption described in subsection (4)(H) of this rule. Otherwise, such motor vehicles shall be subject to the emissions inspection requirements of subsection (3)(B) of this rule during the same period that the biennial safety inspection is conducted;
 8. Motor vehicles *[that are]* driven fewer than twelve thousand (12,000) miles between biennial safety inspections that receive a mileage-based exemption described in subsection (4)(H) of this rule.
- A. Prior to October 1, 2009, handwritten MVI-2 safety inspection forms or printed safety Vehicle Inspection Reports (VIRs) shall be provided by the owner to the department.
- (I) The proof of exemption from the emissions inspection

requirement shall consist of two (2) vehicle safety inspection reports issued to the owner of the vehicle being exempted.

(II) The first safety inspection report shall have been issued during the vehicle's previous biennial safety inspection. The second safety inspection report shall have been issued during the current biennial inspection cycle, performed within [the] sixty (60) days of the owner's registration request.

(III) Each vehicle safety inspection report must document the odometer reading at the time of the vehicle's biennial safety inspections, and the difference between these two (2) odometer readings shall be no greater than eleven thousand nine hundred ninety-nine (11,999).

B. Beginning October 1, 2009, this exemption shall be issued automatically by licensed emissions inspection stations using the contractor's Missouri Decentralized Analyzer System (MDAS) equipment and lane software;

9. Historic motor vehicles registered pursuant to [section] 301.131, RSMo;

10. School buses;

11. Tactical military vehicles;

12. Visitor, employee, or military personnel vehicles on federal installations provided appointments do not exceed sixty (60) calendar days; [and]

13. Specially constructed vehicles[.]; and

14. Plug-in hybrid electric vehicles (PHEVs).

(2) Definitions.

(A) *[Business day—All days, excluding Saturdays, Sundays, and state holidays, that an inspection station is open to the public.]* **Plug-in hybrid electric vehicle (PHEV)**—A plug-in hybrid electric drive vehicle that is made by a manufacturer, has not been modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

(B) Clean scanning—The illegal act of connecting the On-Board Diagnostics (OBD) cable or wireless transmitter to the data link connector of a vehicle other than the vehicle photographed and identified on the emissions VIR for the purpose of bypassing the required OBD test procedure.

(C) Compliance cycle—The two (2)-year duration during which a subject vehicle in the enhanced emissions inspection program area is required to comply with sections 643.300–643.355, RSMo.

1. For private entity vehicles, the compliance cycle begins sixty (60) days prior to the subject vehicle's registration and biennial license plate tab expiration.

2. For public entity vehicles, the compliance cycle begins on January 1 of each even-numbered calendar year. The compliance cycle ends on December 31 of each odd-numbered calendar year.

(D) Contractor—The state contracted company who shall implement the decentralized motor vehicle emissions inspection program as specified in sections 643.300–643.355, RSMo, and the state contracted company who shall implement the acceptance test procedure.

(E) Department—The Missouri Department of Natural Resources, the state agency responsible for oversight of the vehicle emissions inspection and maintenance program that is required by the 1990 Federal Clean Air Act Amendments.

(F) Data Link Connector (DLC)—The terminal required to be installed on all On-Board Diagnostics (OBD) equipped vehicles that allows communication with a vehicle's OBD system.

(G) Diagnostic Trouble Code (DTC)—An alphanumeric code consisting of five (5) characters which is stored by a vehicle's On-Board Diagnostics system if a vehicle malfunctions or deteriorates in such a way as to potentially raise the

vehicle's tailpipe or evaporative emissions more than 1.5 times the federal test procedure certification limits. The code indicates the system or component that is in need of diagnosis and repair to prevent the vehicle's emissions from increasing further.

(H) Emissions inspection—Tests performed on a vehicle in order to evaluate whether the vehicle's emissions control components are present and properly functioning.

(I) Gross Vehicle Weight Rating (GVWR)—The value specified by the manufacturer as the maximum design loaded weight of a single vehicle.

(J) Ground-level ozone—A colorless, odorless gas formed by the mixing of volatile organic compounds and oxides of nitrogen from stationary and mobile pollution sources in the presence of heat and sunlight. Ground-level ozone is a strong oxidizer that negatively affects human health by causing diminished lung function in both healthy individuals and those with pre-existing respiratory problems.

(K) Heavy Duty Vehicle (HDV)—Any motor vehicle rated at eight thousand five hundred one (8,501) pounds GVWR or more.

(L) Initial emissions inspection—An emissions inspection consisting of the inspection series that occurs the first time a vehicle is inspected in a compliance cycle.

(M) Licensed emissions inspection station—Any business that has met the licensing requirements described in this rule and been licensed to offer vehicle emissions inspection services on behalf of the department.

(N) Licensed emissions inspector—Any individual that has met the licensing requirements described in this rule and been licensed to conduct vehicle emissions inspections on behalf of the department.

(O) Light Duty Truck (LDT)—Any motor vehicle rated at eight thousand five hundred pounds (8,500 lbs.) GVWR or less which has a vehicle curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is—

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle;

2. Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or

3. Available with special features enabling off-street or off-highway operation and use.

(P) Light Duty Vehicle (LDV)—A passenger car or passenger car derivative capable of seating twelve (12) passengers or less that is rated at six thousand (6,000) pounds GVWR or less.

(Q) Malfunction Indicator Lamp (MIL)—An amber-colored warning light located on the dashboard of vehicles equipped with On-Board Diagnostics systems indicating to the vehicle operator that the vehicle either has a malfunction or has deteriorated enough to cause a potential increase in the vehicle's tailpipe or evaporative emissions.

(R) Missouri Decentralized Analyzer System (MDAS)—The emissions inspection equipment that is sold by the state's contractor to licensed emissions inspection stations. The department may approve alternative equipment if the equipment described in this subsection is no longer available. At a minimum, the vehicle emissions inspection equipment shall consist of the following contractor equipment package:

- 1. At least a seventeen-inch (17") Liquid Crystal Display (LCD) monitor;*
- 2. Universal serial bus (USB) lane camera;*
- 3. At least a 4.0 megapixel digital camera and dock;*
- 4. Fingerprint scanner;*
- 5. Two hundred fifty-six (256) megabyte USB flash drive;*

6. Keyboard with plastic keyboard cover and optical mouse;
7. Printer with ink or toner cartridges and blank paper;
8. 2D barcode reader;
9. Windshield sticker printer with blank windshield stickers and thermal cartridge;
10. OBD vehicle interface cable with a standard Society of Automotive Engineers J1962/J1978 OBD connector;
11. OBD verification tool;
12. Low-speed or high-speed internet connection capabilities;
13. Surge protector and uninterruptible power supply (UPS);
14. At least a 3.0 gigahertz (GHz) personal computer (DellTM Pentium® 4 or equivalent), with Windows Vista® and one (1) gigabyte of random access memory (RAM); and
15. Metal cabinet to hold all of the components described in this subsection of the rule.

(S) Missouri Department of Revenue (MDOR)—The state agency responsible for the oversight of vehicle registration at contract offices and via the internet. MDOR is also responsible for the registration denial method of enforcement for the vehicle emissions inspection and maintenance program.

(T) Missouri State Highway Patrol (MSHP)—The state agency responsible for the oversight of the vehicle safety inspection program and joint oversight with the department of the vehicle emissions inspection and maintenance program.

(U) On-Board Diagnostics (OBD)—A vehicle emissions early-warning system required by federal law to be installed on all light-duty 1996 and newer model year vehicles for sale in the United States. The OBD system monitors sensors and emissions-control related components on a vehicle to ensure that the emissions control system operates properly throughout a vehicle's lifetime. If one (1) or more components of the emissions control system malfunctions or deteriorates, the OBD system will illuminate the Malfunction Indicator Lamp and store one (1) or more Diagnostic Trouble Codes.

(V) On-Board Diagnostics (OBD) test—A test in which a vehicle's OBD system is connected to a hand-held tool or computer that an inspector uses to determine and/or collect and record—

1. The status of the OBD system's MIL when the vehicle engine is off and when the vehicle engine is running;
2. Data link connector access and functionality and OBD communication;
3. Vehicle signature information, including, but not limited to, the electronic vehicle identification number (VIN) and other unique parameter identifiers;
4. The status of all of the OBD system's readiness monitors;
5. The OBD system's MIL command status; and
6. Any DTCs, including those that are commanding the MIL to be illuminated.

(W) Qualifying repair—Any repair or adjustment performed on a vehicle's emissions control system after failing an initial emissions inspection, that is reasonable to the test method failure. A qualifying repair is submitted as part of a cost-based waiver application and must document, to the department's satisfaction, the diagnostic testing or analysis method used by the person performing the repair. Repairs performed by a repair technician that were not authorized by the vehicle owner's signature or verbal consent may not be considered a qualifying repair. The qualifying repair must be performed within ninety (90) days after the date of initial emissions inspection. The initial or subsequent emissions reinspection should support the necessity of the qualifying repair. The qualifying repair may consist of either—

1. The parts costs, spent by a vehicle owner or charged to a vehicle owner by a repair technician, that are appropriate for the type of emissions inspection failure; or

2. The parts and recognized labor costs, charged to a vehicle owner by a Recognized Repair Technician, that are appropriate for the type of emissions inspection failure.

(X) Readiness monitor—A design feature of On-Board Diagnostics systems. If a readiness monitor has been set, then the OBD system has completed a diagnostic check on that component. If a readiness monitor has not been set, then the OBD system has not completed a diagnostic check on that component.

(Y) Recognized labor costs—The labor costs that a Recognized Repair Technician charges for emissions repair services rendered to a vehicle that fails its emissions inspection. Labor costs not tied to an emissions repair or solely for the purposes of setting readiness monitors may not be considered qualifying repairs.

(Z) Recognized Repair Technician—Any person who—

1. Is professionally engaged full-time in vehicle repair or employed by an ongoing business whose purpose is vehicle repair. A Recognized Repair Technician may only be recognized by the department at one (1) place of employment;

2. Has valid certifications from the National Institute for Automotive Service Excellence (ASE) in Electrical Systems (A6), Engine Performance (A8), and Advanced Engine Performance Specialist (L1) that have not expired; and

3. Has not been reported by the department to the attorney general for unlawful merchandising practices according to subsection 643.330.4, RSMo.

(AA) Specially constructed vehicle—A motor vehicle that has not been originally constructed under a distinctive name, make, model, or type by a manufacturer of motor vehicles, that has been issued a specially constructed VIN number from the MDOR, and that has had the specially constructed VIN installed by the MSHP. The term specially constructed vehicle includes kit vehicles that are motor vehicles assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin.

(BB) Vehicle Inspection Database (VID)—The vehicle inspection database, operated and maintained by the department's contractor. All vehicle emissions inspection information is uploaded by the MDAS inspection equipment to the VID on a real time basis as soon as each inspection is complete.

(CC) Vehicle Inspection Report (VIR)—The vehicle inspection report printed by the MDAS inspection equipment at the conclusion of each vehicle's emissions inspection. The VIR is designed solely to provide information regarding the emissions inspection results to motorists, and may not be valid for vehicle registration purposes.]

[DD] (B) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Subject Vehicle Compliance.

1. Private entity vehicle compliance.

A. Motor vehicles subject to this rule shall demonstrate compliance with emissions standards in this rule. Such demonstration shall be made through the test methods specified in section (5) of this rule and be completed according to the compliance cycle [specified in paragraph (2)(C)1. of this rule] as defined in 10 CSR 10-6.020, the inspection intervals specified in subsection (3)(B) of this rule, and the inspection periods specified in subsection (3)(C) of this rule.

B. Completion of the emissions inspection requirements is necessary for vehicle registration renewal[,] or registration transfer.

C. Failure to complete a vehicle emissions inspection during the compliance cycle or before vehicle registration shall be a violation of this rule. These violations are subject to penalties specified in *[section] 643.355.5.*, RSMo.

2. Public entity vehicle compliance.

A. All subject vehicles owned by federal, state, and local governments shall be emissions inspected according to the compliance cycle *[specified in paragraph (2)(C)2. of this rule]* as defined in **10 CSR 10-6.020** and the inspection intervals specified in subsection (3)(B) of this rule.

B. All federal agencies shall ensure employee and military personnel vehicles meet the requirements of paragraph (3)(A)2. according to the December 1999 *Interim Guidance for Federal Facility Compliance With Clean Air Act Sections 118(c) and 118(d) and Applicable Provisions of State Vehicle Inspection and Maintenance Programs*. This guidance document is incorporated by reference in this rule, as published by the U.S. Environmental Protection Agency (EPA), Office of Transportation and Air Quality, 2000 Traverwood, Ann Arbor, MI 48105. This rule does not incorporate any subsequent amendments or additions to this guidance document.

C. Failure to complete a vehicle emissions inspection within the compliance cycle *[specified in paragraph (2)(C)2. of this rule]* as defined in **10 CSR 10-6.020**, shall be a violation of this rule. These violations are subject to penalties specified in *[section] 643.355.5.*, RSMo.

3. Vehicle fleets.

A. Vehicle fleets of any size may be emissions inspected by the fleet operator, provided the owners or operators of such vehicle fleets acquire the state contractor's equipment to conduct the emissions inspections.

B. Vehicle fleets using such equipment shall be subject to the same inspection requirements as non-fleet vehicles.

C. Fleet inspection facilities shall be subject to quality assurance evaluations at least as stringent as those performed at public inspection stations.

D. Fleet owners or operators may make repairs to fleet vehicles on-site.

(B) Emissions Inspection Intervals.

1. Subject vehicles[,] manufactured as odd-numbered model year vehicles are required to be inspected in each odd-numbered calendar year. Subject vehicles manufactured as even-numbered model year vehicles are required to be inspected in each even-numbered calendar year.

2. At the time of registration transfer, subject vehicles are required by *[section] 643.315.1.*, RSMo, to be inspected regardless of the vehicle model year. At the time of registration transfer, prior to the sale of a vehicle, private sellers of vehicles are required to provide the purchaser with an emissions inspection compliance certificate or compliance waiver that is valid for registering the vehicle according to inspection period requirements of subsection (3)(C) of this rule.

(C) Emissions Inspection Periods.

1. An emissions inspection performed on a subject vehicle via the vehicle inspection process described in subsections (3)(H)–(K) of this rule is valid, for the purposes of obtaining registration or registration renewal, for a duration of sixty (60) days from the date of passing inspection or waiver issuance. An emissions inspection provided by a licensed motor vehicle dealer to the purchaser of a used vehicle being sold by the licensed motor vehicle dealer is valid for registration purposes for one hundred twenty (120) days after the date of inspection. Vehicles being sold shall not be subject to another emissions inspection for ninety (90) days after the date of sale or transfer of such vehicle.

2. Reinspections occurring fewer than ninety (90) days after the initial emissions inspection are subject to subsections (3)(J) and

(3)(K) of this rule.

3. Reinspections occurring more than ninety (90) days after the initial emissions inspection shall be considered to be an initial emissions inspection as defined in *[subsection (2)(L) of this rule]* **10 CSR 10-6.020** and are subject to subsection (3)(H) of this rule.

(D) Emissions Inspection Fees.

1. Initial vehicle emissions inspection fee. At the time of an initial emissions inspection, the vehicle owner or driver shall pay no more than twenty-four dollars (\$24) to the licensed emissions inspection station. The inspection station shall determine the forms of payment accepted. Fleet operators inspecting their own fleet vehicles at their own inspection facility are exempt from initial vehicle emissions inspection fees.

2. Vehicle emissions reinspection fee. Each initial vehicle emissions inspection fee shall include one (1) free reinspection, provided that the reinspection is conducted within twenty (20) business days of the initial emissions inspection at the same inspection station that performed the initial inspection.

A. To qualify for one (1) free reinspection, the vehicle owner or driver shall present the previous VIR and the completed repair data sheet described in subsection (4)(D) of this rule to the emissions inspection station that conducted the initial emissions inspection, within twenty (20) business days of the initial emissions inspection. The emissions inspector shall return the previous VIR to the vehicle owner.

B. At the emissions inspection station's discretion, reinspections occurring more than twenty (20) business days after the initial emissions inspection may be performed upon payment of the initial emissions inspection fee to the emissions inspection station.

C. Fleet operators reinspecting their own fleet vehicles at their own inspection facility are exempt from vehicle emissions reinspection fees.

3. Emissions inspection oversight fee.

A. Licensed emissions inspection stations shall pre-pay the state two dollars and fifty cents (\$2.50) for each passing emissions inspection that they intend to perform. The fee shall be paid to the Director of Revenue and submitted to the **Missouri State Highway Patrol (MSHP)**. The MSHP shall deposit the fee into the "Missouri Air Emissions Reduction Fund" as established by *[section] 643.350*, RSMo. The MSHP will then use the contractor's **vehicle inspection database (VID)** to credit the number of pre-paid emissions inspections to the licensed emissions inspection station's MDAS. The MDAS shall deduct one (1) emissions credit authorization for each passing emissions inspection.

B. Licensed inspection stations are required to maintain a sufficient positive quantity of emissions credits on their analyzer(s) to prevent having to turn away motorists who have requested an inspection.

C. At the time that a licensed emissions inspection station discontinues operation or chooses not to renew its emissions inspection license, the department will issue the licensed emissions inspection station a full refund of two dollars and fifty cents (\$2.50) for each paid emissions inspection credit authorization that remains on the licensed emissions inspection station's MDAS. The department shall withdraw the pre-paid fees from the "Missouri Air Emissions Reduction Fund" as established by *[section] 643.350*, RSMo, and send the existing balance of the pre-paid fees to the licensed inspection station. The MSHP will then delete all pre-paid emissions inspections from the inspection equipment.

4. Vehicle inspection database (VID) service fee. Licensed emissions inspection stations shall pay the contractor three dollars and forty-five cents (\$3.45) for each paid emissions inspection that they perform. The fee shall be made payable to the contractor and submitted monthly according to the terms of the contract between the contractor and the licensed emissions inspection stations. The contractor shall reimburse any *[vehicle inspection database (VID)]* service fee overcharges to an inspection station within sixty (60) days of the date of notification by the emissions inspection station manager.

(E) Emissions Inspection Equipment.

1. Performance features of emissions inspection equipment. The MDAS is required for performing any emissions inspections on subject vehicles. The MDAS shall meet or exceed all applicable EPA requirements.

A. The MDAS shall be capable of testing all subject vehicles as required by paragraph (3)(E)3. of this rule. The emissions inspection equipment shall be updated as needed to accommodate new technology vehicles. The updates shall be provided by the state's contractor without cost to the state or the licensed emissions inspection stations.

B. At a minimum, the MDAS shall be:/—

(I) Automated to the highest degree commercially available to minimize the potential for intentional fraud and/or human error;

(II) Secure from tampering and/or abuse; and

(III) Based upon written specifications.

2. Functional characteristics of emissions inspection equipment. The MDAS shall be composed of vehicle inspection equipment controlled by a computer.

A. The MDAS shall automatically:/—

(I) Make pass/fail decisions for all computer-determined aspects of the emissions inspection as described in paragraphs (5)(B)3. through (5)(B)5. of this rule;

(II) Record test data to the MDAS hard drive and the contractor's VID;

(III) Conduct regular self-testing of recording accuracy;

(IV) Perform electrical calibration and system integrity checks before each test, as applicable; and

(V) Initiate immediate system lockouts for—

(a) Tampering with security aspects of the MDAS;

(b) Fraudulent inspection activity;

(c) Exceeding the limit of offline emissions inspections established by the department and the MSHP; or

(d) Failing the **on-board diagnostics (OBD)** verification tool self-check.

B. The MDAS shall include a telecommunications data link to the contractor's *[Vehicle Inspection Database (/VID)]* as specified in the contract between the department and the contractor. Emissions inspection information shall be uploaded immediately to the VID via this telecommunications data link according to subparagraphs (3)(F)2.C. and (3)(F)5.D. of this rule so that all inspection information can be electronically verified by the department, the MSHP, and the MDOR using the contractor-provided internet solution.

C. The MDAS shall ensure accurate data collection by limiting, cross-checking, and/or confirming manual data entry.

3. OBD test equipment. OBD test equipment shall meet the standards specified in 40 CFR *lpart 85, subpart W, section 2231. Section 2231/ 85.2231*, which is incorporated by reference in this rule, as published by the EPA, Office of Transportation and Air Quality, 2000 Traverwood, Ann Arbor, MI 48105 on April 5, 2001. This rule does not incorporate any subsequent amendments or additions to */section 2231/ 40 CFR 85.2231*. The OBD test equipment shall be able to communicate with all known OBD protocols and connect to and communicate with a minimum of ninety-eight percent (98%) of all subject vehicles.

4. All emissions inspection equipment shall meet the quality control requirements described in paragraph (3)(L)5. of this rule. Newly acquired emissions inspection equipment and all applicable MDAS software updates shall be subject to the acceptance test procedures administered by the department's contractor to ensure compliance with the emissions inspection program specifications.

(F) Emissions Inspection Station Requirements.

1. Premises.

A. Each licensed emissions inspection station shall have an emissions inspection area within an enclosed building of sufficient length, width, and height to accommodate a full size light duty vehicle or light duty truck.

B. The licensed emissions inspection station shall be in compliance with applicable city, county, and state regulations relating to zoning, merchant licensing, fictitious names, and retail sales tax numbers.

C. The emissions inspection area shall be sufficiently lighted, adequately heated and cooled, and properly ventilated to conduct an emissions inspection.

2. Equipment. Each licensed emissions inspection station shall have the following equipment located at or near the inspection area:

A. Scraper. The scraper may be used to remove old windshield stickers;

B. Emissions inspection equipment, including hardware, software, forms, and windshield stickers. The equipment hardware, *[described in subsection (2)(R) of this rule]* as described under the definition for Missouri Decentralized Analyzer System found in 10 CSR 10-6.020, shall be purchased or leased by the inspection station from the state's contractor. All of the equipment must be present and functional. The equipment software shall be provided with the MDAS equipment purchase or lease and updated periodically at no cost to the licensed inspection stations. The forms described in section (4) of this rule shall be provided by the MDAS software. The windshield stickers described in section (4) of this rule shall be provided by the contractor at no cost to licensed emissions inspection stations; and

C. Telecommunications. The station shall provide dedicated data transmission capabilities for the emissions inspection equipment to stay online with the contractor's VID. The telecommunications capabilities may be either high-speed or low-speed. The cost of this telecommunications service, including initial installation and ongoing maintenance, is the responsibility of the licensed emissions inspection station.

3. Personnel.

A. Each licensed emissions inspection station shall have a minimum of one (1) licensed emissions inspector on duty during all business days during the station's hours of inspection, except for short periods of time due to illness or annual vacation.

B. Each licensed emissions inspection station will designate, on the station license application, the emissions inspection station manager who will be in charge of emissions inspections. The emissions inspection station manager shall be responsible for the daily operation of the station and will ensure that complete and proper emissions inspections are being performed. The emissions inspection station manager shall be present at the licensed emissions inspection station during all business days during the station's hours of inspection, except for short periods of time due to illness or annual vacation.

C. If the station is without at least one (1) emissions inspector or one (1) emissions inspection station manager, then the station shall be prohibited from conducting emissions inspections.

4. Licensing.

A. Any person, firm, corporation, partnership, or governmental entity requesting an emissions inspection station license shall submit a completed emissions inspection station application to the department or to the MSHP.

B. A vehicle emissions inspection station license shall be valid for twelve (12) months from the date of issuance. A completed emissions inspection station license application shall be accompanied by a check or money order for one hundred dollars (\$100) made payable to the Director of Revenue and submitted to either the Missouri Department of Natural Resources, Air Pollution Control Program, Attn: Inspection and Maintenance, PO Box 176, Jefferson City, MO 65102-0176 or the MSHP. Under no circumstances will cash be accepted for the license fee.

C. For the purposes of emissions and safety inspection license synchronization, a vehicle emissions inspection station license may be valid for fewer than twelve (12) months from the date of issuance. A completed emissions inspection station license application shall be accompanied by a check or money order made

payable to the Director of Revenue and submitted to either the Missouri Department of Natural Resources, Air Pollution Control Program, Attn: Inspection and Maintenance, PO Box 176, Jefferson City, MO 65102-0176 or the MSHP. The check or money order shall submit the pro-rated fee of eight dollars and thirty-three cents (\$8.33) times the number of months between the month of the application, including the month of application, for the emissions inspection license and the month that the safety inspection license will be renewed. Under no circumstances will cash be accepted for the license fee.

D. Except as provided by subparagraph (3)(F)4.C. of this rule, station licenses are valid for a period of one (1) year from the date of issuance, unless the license is suspended or revoked by the department or the MSHP. The owners of licensed emissions inspection stations that are renewing their emissions inspection license shall complete the requirements of subparagraph (3)(F)4.B. of this rule.

E. Along with the application fee, applicants shall submit the following information on a form provided by either the department or the MSHP:

- (I) Proof of liability insurance;
- (II) The business's federal and state taxpayer identification number;
- (III) The physical address of the inspection station;
- (IV) The mailing address, if different from physical address, of the inspection station;
- (V) The phone number and, if available, fax number of the inspection station;
- (VI) The last name, first initial, and, if already licensed by the MSHP, the inspector number of the licensed emissions inspector(s) employed by that station; and
- (VII) The first and last name of the emissions inspection station manager(s) employed by that station.

F. No license issued to an emissions inspection station may be transferred or used at any other location. Any change in ownership or location shall void the current station license. The department must be notified immediately when a change of ownership or location occurs or when a station discontinues operation. Businesses that change locations will be charged another license fee for the cost of the new license. Businesses that change owners will be treated as new licensees and charged another license fee for the new license.

G. When an emissions inspection station license has been suspended or revoked, or when a station discontinues operation, all emissions inspection supplies including, but not limited to, blank windshield stickers described in section (4) of this rule and the emissions inspection station sign described in subparagraph (3)(F)7.C., shall be released on demand to the department or the MSHP. The failure to account for all emissions inspection supplies will be sufficient cause for the department or the MSHP to not reinstate an emissions inspection station license.

H. No emissions inspection station license will be issued to a spouse, child or children, son/daughter-in-law, employee, or any person having an interest in the business for the privilege to conduct emissions inspections at the same location or in close proximity to the location of an emissions inspection station whose license is under suspension or revocation, unless the applicant can provide reasonable assurance that the licensee under suspension or revocation will not be employed, manage, assist in the station operation, or otherwise benefit financially from the operation of the business in any way.

5. Operations.

A. All emissions inspections must be conducted at the licensed emissions inspection station in the approved emissions inspection area described in paragraph (3)(F)1. of this rule.

B. The inspection of a vehicle shall be made only by an individual who has a current, valid emissions inspector license. No person without a current, valid emissions inspector license shall issue an emissions VIR or a windshield sticker. No owner, operator, or employee of an inspection station shall furnish, loan, give, or sell an emissions VIR or windshield sticker to any person except those entitled

to receive it because their vehicle has passed the emissions inspection.

C. If an emissions inspector or an emissions inspection station manager or owner resigns or is dismissed, the emissions inspection station manager or station owner shall report these changes to the department and the MSHP immediately or within two (2) business days. The emissions inspection station manager or station owner shall complete an amendment form to inform the department and the MSHP of these changes in personnel.

D. All current manuals, bulletins, or other rules issued by the department must be read by the station owner or operator and each emissions inspector. These resources must be available, either in printed or electronic form, at all times for ready reference by emissions inspectors, department, and MSHP staff.

E. If the department is asked to settle a difference of opinion between a vehicle owner and an emissions inspection station manager or emissions inspector concerning the inspection standards and procedures, the decisions of the department concerning emissions inspection standards and procedures will be final.

F. Emissions inspection station operators are permitted to advertise as official emissions inspection stations.

6. Hours of operation.

A. The normal business hours and business days of every public inspection station shall be at least eight (8) continuous hours per day, five (5) days per week, excluding all state holidays.

B. Emissions inspectors are obligated to conduct emissions inspections and re-inspections of vehicles during normal business hours.

(I) A vehicle shall be emissions inspected within a two (2)-hour period after being presented unless other vehicles are already being emissions inspected.

(II) A re-inspection must begin within one (1) hour when a vehicle is presented during the twenty (20) consecutive-day period for re-inspections excluding Saturdays, Sundays, and state holidays.

7. Display of inspection station and inspector licenses, sign, and poster.

A. The department or the department's designee shall provide each licensed emissions inspection station with one (1) station license certificate. The station license certificate shall be framed under clean glass or plastic and displayed in a conspicuous location discernible to those presenting vehicles for emissions inspections.

B. The department or the department's designee shall provide each licensed emissions inspector with one (1) inspector license certificate. The emissions inspector licenses must be framed under clean glass or plastic and displayed in a conspicuous location discernible to those presenting vehicles for emissions inspections.

C. The department or the department's designee shall provide each licensed emissions inspection station one (1) official sign, made of metal or other durable material, to designate the station as an official emissions inspection station. The sign designating the station as an emissions inspection station shall be displayed in a location visible to motorists driving past the inspection station. Additional signs may be purchased for a fee equal to the cost to the state for each additional sign.

D. The department or the department's designee shall provide each licensed emissions inspection station with one (1) poster that informs the public that required repairs or corrections need not be made at that inspection station. The poster must be displayed in a conspicuous location discernible to those presenting vehicles for emissions inspections. Additional posters may be purchased for a fee equal to the cost to the state for each additional poster.

(H) Emissions Inspection Procedures. The emissions inspection procedure shall meet the following requirements:

1. Every emissions inspection must be performed according to the procedures described in this rule. Once an emissions inspection has begun, it shall be completed and shall not be terminated. A vehicle may not be passed or failed based upon a partial inspection;

2. A proper and complete emissions inspection shall consist of

the OBD test method described in section (5) of this rule, the immediate printing and subsequent issuance of a VIR to the motorist, and the immediate uploading of the emissions inspection data to the contractor's VID;

3. All emissions inspection records shall be transmitted to the state's contractor as soon as an inspection is complete for the purpose of real time registration verification by the MDOR and program oversight by the department or the MSHP;

4. The emissions inspection fees shall be charged for each inspection performed as described in subsection (3)(D) of this rule;

5. Emissions inspection windshield stickers will be issued to an emissions inspection station by the MSHP and can be printed by only that station. Emissions inspection windshield stickers shall be kept secure to prevent them from being lost, damaged, or stolen. If windshield stickers are lost, damaged, or stolen, the incident shall be reported immediately to the MSHP;

6. The emissions inspector will ensure that all required information is properly and accurately entered into the MDAS. This includes three (3) mandatory photos, a vehicle description including the license plate number at the time of inspection, **vehicle identification number** (VIN), vehicle make, vehicle model, vehicle model year, fuel type, GVWR range, odometer reading at the time of the emissions inspection, and the complete mailing address (street address, city, and zip code) of the vehicle owner;

7. Using the MDAS digital camera, the emissions inspector shall take three (3) readily identifiable digital pictures showing the current license plate, VIN, and odometer reading. The picture of the license plate, VIN, and odometer must match the plate, VIN, and odometer reading that is printed on the VIR. These pictures shall then be immediately uploaded to the VID via the docking station provided with the MDAS.

A. License plate pictures. Pictures of the rear license plate shall be of the entire rear portion of the vehicle from taillight to taillight. If the vehicle license plate is located only on the front of the vehicle, then the license plate picture shall be of the entire front of the vehicle. License plate pictures must be clearly legible.

B. VIN pictures. The camera should be set to the macro picture-taking mode. VIN pictures should be of the dashboard VIN plate. It may be helpful to illuminate the VIN plate with supplemental lighting, block overhead lighting with a solid object, or take the photo at an angle so that the camera flash or overhead lights are not reflected by the windshield glass. VIN pictures must be clearly legible.

C. Odometer pictures. The camera should be set to the macro picture-taking mode. In the case of digital odometers, the ignition switch must be on to illuminate the odometer reading. Trip odometer photos are not permissible. It may be helpful to turn on the dashboard lights to help illuminate the odometer without the use of the camera's flash. Odometer pictures must be clearly legible;

8. Inspection stations shall ensure that the station analyzer **universal serial bus** (USB) digital camera is mounted on top of the station analyzer monitor and aimed, with a clear line of sight, towards the emissions inspection bay every time a vehicle emissions inspection is performed so that the inspection process can be remotely observed by state agencies throughout the entire vehicle emissions inspection;

9. Vehicles shall be inspected in as-received condition, including vehicles whose **malfunction indicator lamp** (MIL) is lit or whose readiness monitors are unset. The inspector shall connect the OBD cable or wireless transmitter to the data link connector (**DLC**) of the actual vehicle submitted for emissions testing. The connection shall remain intact and functioning during the entire test procedure. Clean scanning as defined in *[subsection (2)(B) of this rule]* **10 CSR 10-6.020** is prohibited. An official inspection, once initiated, should be performed in its entirety regardless of immediate outcome, except in the case of an invalid test condition or determination by the emissions inspector;

10. The initial emissions inspection shall be performed accord-

ing to the test method described in section (5) of this rule without repair or adjustment at the emission inspection station prior to commencement of any tests. Emissions inspections performed within ninety (90) days of the initial emissions inspection shall be considered a reinspection and are subject to provisions of subsection (3)(J) of this rule;

11. If a subject vehicle passes the emissions test method described in section (5) of this rule, according to the standards described in subsection (3)(I) of this rule, the emissions inspection station shall issue the vehicle owner or driver a passing VIR described in subsection (4)(A) of this rule, certifying that the vehicle has passed the emissions inspection, and provide a windshield sticker for the windshield of the subject vehicle according to subsection (4)(A) of this rule. The positioning of the windshield sticker on the windshield of the vehicle shall take place on the premises of the emissions inspection station;

12. If a subject vehicle fails the emissions test method described in section (5) of this rule, according to the standards described in subsection (3)(I) of this rule, the emissions inspection station shall provide the vehicle owner or driver with a failing VIR described in subsection (4)(B) of this rule that indicates what parts of the OBD test method the vehicle failed, a repair facility performance report described in subsection (4)(H) of this rule that lists the ten (10) nearest Missouri Recognized Repair Technicians (MRRTs) to the licensed emissions inspection station, and a repair data sheet described in subsection (4)(D) of this rule that is used to collect emissions repair data for the repair facility performance report;

13. If a subject vehicle fails the emissions test method described in section (5) of this rule, the vehicle owner shall have the vehicle repaired. The vehicle shall be reinspected according to the appropriate inspection period as determined by paragraphs (3)(C)2. and (3)(C)3. of this rule and the reinspection procedures described in subsection (3)(J) of this rule; and

14. If the emissions inspection is aborted by the MDAS software or the emissions inspector, the emissions inspection station shall provide the vehicle owner or driver with the emissions VIR described in subsection (4)(K) of this rule that indicates that the OBD test was aborted.

(I) Emissions Inspection Standards. Subject vehicles shall fail the emissions inspection if the vehicle does not meet the OBD test standards specified in *40 CFR 1part 85, subpart W, section 2207. Section 2207/ 85.2207*, which is incorporated by reference in this rule, as published by the EPA, Office of Transportation and Air Quality, 2000 Traverwood, Ann Arbor, MI 48105 on April 5, 2001. This rule does not incorporate any subsequent amendments or additions to *section 2207/ 40 CFR 85.2207*.

(J) Emissions Reinspection Procedures.

1. Vehicles that fail the emissions inspection described in section (5) of this rule shall be reinspected according to the test method described in section (5) of this rule to determine if the repairs were effective for correcting failures on the previous inspection, thereby reducing or preventing an increase in present and future tailpipe or evaporative emissions.

A. The inspector shall enter the data from the repair data sheet described in subsection (4)(D) of this rule in the MDAS prior to initiating the reinspection, even if the vehicle receives multiple reinspections.

B. The inspector shall ensure that the VIN of the reinspected vehicle matches the VIN of the originally inspected vehicle.

C. The inspector shall enter the current odometer reading of the vehicle at the time of the reinspection into the MDAS.

D. The inspector shall take three (3) new photographs following the procedure described in paragraph (3)(H)7. of this rule.

E. The inspector shall connect the OBD cable or wireless transmitter to the data link connector of the actual vehicle submitted for emissions testing. The connection shall remain intact and functioning during the entire test procedure. Clean scanning as defined in *[subsection (2)(B) of this rule]* **10 CSR 10-6.020** is prohibited.

2. If the subject vehicle passes a reinspection, then the procedures in paragraph (3)(H)11. of this rule shall be followed.

3. If the subject vehicle fails a reinspection, the vehicle owner may either:

A. Have more repairs performed on the vehicle and have the vehicle reinspected; or

B. Apply for a cost-based waiver according to the requirements in paragraphs (3)(K)1.-(3)(K)5. of this rule.

(K) Emissions Inspection Waivers and Exemptions.

1. Cost-based waivers. Vehicle owners or purchasers shall be issued a cost-based waiver for their vehicle under the following conditions:

A. The subject vehicle has failed the initial emissions inspection, has had qualifying repairs, and has failed an emissions reinspection;

B. The vehicle has passed the bulb check test described in subparagraph (5)(B)2.A. of this rule, the data link connector test described in subparagraph (5)(B)3.A. of this rule, the communications test described in subparagraph (5)(B)3.B. of this rule, and the readiness monitor test described in paragraph (5)(B)4. of this rule.

C. The subject vehicle has all of its emissions control components correctly installed and operating as designed by the vehicle manufacturer.

(I) To the extent practical, the department representative shall use the MSHP air pollution control device inspection method described in 11 CSR 50-2.280 to fulfill the requirement of this subparagraph.

(II) If the vehicle fails the visual inspection described in 11 CSR 50-2.280, then the vehicle will be denied a cost-based waiver;

D. The vehicle operator has submitted to the department the appropriate waiver application with all required information and necessary signatures completed, along with all itemized receipts of qualifying repairs. The qualifying repairs must meet the requirements of paragraph (3)(K)2. of this rule. The itemized receipts must meet the requirements of paragraph (3)(K)3. of this rule;

E. At the discretion of the department, the vehicle owner or operator may be required to make arrangements to bring the vehicle to the department or the department's designee for visual verification of the vehicle's repairs or estimated repairs in the case of a cost-based estimate waiver application; and

F. To the extent practical, the department representative has verified that the repairs indicated on the itemized receipts for qualifying repairs were made and that the parts were repaired/replaced as claimed.

2. The minimum amount spent on qualifying repairs for cost-based waivers shall—

A. Exceed four hundred fifty dollars (\$450) for vehicles not fully repaired solely by the owner of the failed vehicle;

B. Exceed four hundred dollars (\$400) for all vehicles repaired solely by the owner of the failed vehicle. Only qualified repairs that include the part costs for the purchase and installation of the following parts listed in 40 CFR 51.360(a)(5) will be accepted:

(I) Oxygen sensors;

(II) Catalytic converters;

(III) **Exhaust gas recirculation (EGR) valves;**

(IV) Evaporative canisters;

(V) **Positive crankcase ventilation (PCV) valves;**

(VI) Air pumps;

(VII) Distributors;

(VIII) Ignition wires;

(IX) Coils;

(X) Spark plugs; and

(XI) Any hoses, gaskets, belts, clamps, brackets, or other accessories directly associated with these parts. If the emissions failure is not related to the parts listed in this subparagraph, the cost of replacing such parts will not count towards the waiver minimum;

C. Exceed two hundred dollars (\$200) for all motorists who provide the department representative with reasonable and reliable

proof that the owner is financially dependent on state and federal disability benefits and other public assistance programs. The proof shall consist of government issued documentation providing explanation of the motorist's disability and financial assistance with regard to personal income. The motorist must also submit the appropriate cost-based waiver application with their "Financial Eligibility Waiver Request";

D. Be inclusive of part costs paid by motorists performing qualified vehicle repairs by themselves or for qualified emissions repair services performed by any repair technician. Labor costs shall only be applied toward a cost-based waiver if the qualified repair work was performed by a Recognized Repair Technician;

E. Not include the fee for an emissions inspection or reinspection;

F. Not include the fee for a safety inspection or reinspection;

G. Not include charges for obtaining a written estimate of needed repairs;

H. Not include the charges for repairs necessary for the vehicle to pass a safety inspection;

I. Not include costs for repairs performed on the vehicle before the initial emissions inspection failure or more than ninety (90) days after the initial emissions inspection failure;

J. Not include expenses that are incurred for the repair of /—

(I) Emissions control devices or data link connectors that have been found during either a safety or an emissions inspection to be tampered with, rendered inoperative, or removed /,; /;

(II) *If/The MIL;* or

(III) *If/For OBD communications failures;*

K. Not include the state sales tax for the following motor vehicle parts that are air pollution control devices:

(I) Air injection parts, air pumps, check valves, and smog pumps;

(II) Catalytic converters (universal converters, direct fit converters, converter kits);

(III) *[Exhaust gas recirculation (EGR)] valves;*

(IV) Evaporative canisters and canister purge valves;

(V) *[Positive crankcase ventilation (PCV)] valves;*

and

(VI) Any vehicle parts that serve the equivalent functions of the parts listed in parts (3)(K)2.K.(I)-(3)(K)2.K.(V) of this rule;

L. Not include costs and expenses associated with aftermarket catalytic converter replacements that do not conform to the EPA's Aftermarket Catalytic Converter (AMCC) enforcement policy. The EPA's AMCC enforcement policy, which includes the following three (3) documents, is hereby incorporated by reference in this rule/. This rule does not incorporate any subsequent amendments or additions to the EPA's AMCC enforcement policy/:

(I) The Notice of Proposed Enforcement Policy regarding the "Sale and Use of Aftermarket Catalytic Converters," published on August 5, 1986, by 51 FR 28114 as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408;

(II) The publication "What You Should Know About Using, Installing Or Buying Aftermarket Catalytic Converters" published in September 2000 by the U.S. Environmental Protection Agency (EPA), Office of Air and Radiation, Office of Transportation and Air Quality, 1200 Pennsylvania Avenue NW, Washington, DC 20460; and

(III) The letter "Sale and Use of Aftermarket Catalytic Converters for Vehicles Equipped with On-Board Diagnostic (OBD-II) Systems" sent on September 30, 2004, by the U.S. Environmental Protection Agency (EPA), Office of Enforcement and Compliance Assurance, 1200 Pennsylvania Avenue NW, Washington, DC 20460 to the Manufacturers of Emission Control Association. This rule does not incorporate any subsequent amendments or additions to the EPA's AMCC enforcement policy/;

M. Not include expenses that are incurred for the restoration of the vehicle manufacturer's emissions control system due to the

installation of sensor simulators, engine control module upgrades, or other aftermarket components that disable readiness monitors or in any way bypass or compromise the vehicle manufacturer's emissions control system; and

N. Not include costs for emissions repairs or adjustments covered by a vehicle manufacturer's warranty, including the minimum federal catalytic converter warranty period of eight (8) years or eighty thousand (80,000) miles, insurance policy, or contractual maintenance agreement. The emissions repair costs covered by warranty, insurance, or maintenance agreements shall be separated from other emissions repair costs and shall not be applied toward the cost-based waiver minimum amount. The operator of a vehicle within the statutory age and mileage coverage under subsection 207(b) of the federal Clean Air Act shall present a written denial of warranty coverage, with a complete explanation, from the manufacturer or authorized dealer in order for this provision to be waived.

3. The vehicle operator shall present the original of all itemized repair receipts to the department representative to demonstrate compliance with paragraph (3)(K)2. of this rule. The itemized repair receipt(s) shall—

A. Include the name, physical address, and phone number of the repair facility and the model year, make, model, and VIN of the vehicle being repaired;

B. Describe the diagnostic test(s) performed to identify the reason the vehicle failed an emissions inspection;

C. Describe the emissions repair(s) that were indicated by the diagnostic test(s);

D. Document the emissions repairs performed were authorized by the vehicle owner or operator;

E. Describe the emissions repairs that were performed by the repair technician or vehicle owner;

F. For catalytic converter replacements, include, as a separate attachment, the documentation that the EPA's AMCC enforcement policy requires of the catalytic converter retail seller, vehicle owner, and/or installer. Catalytic converter replacements will only be accepted towards a cost-based waiver if they are installed on gasoline-powered vehicles that have failed the most recent OBD test with at least one (1) catalytic converter **Diagnostic Trouble Code** (DTC) (P0420/-J-P0439) as recorded on a failing VIR described in subsection (4)(B) of this rule./J;

G. Describe the vehicle part(s) and the quantity or each type of part(s) that were serviced or replaced;

H. Describe the readiness monitors that were either set to ready or left unset;

I. Describe the diagnostic test(s) performed after the repairs were completed to verify that the vehicle's emissions control system is now operating as it was designed to operate by the manufacturer;

J. Clearly list the labor costs, if the vehicle was repaired by a repair technician, and the part(s) costs separately for each repair item;

K. Include the repair technician's name (printed or typed), signature and, if applicable, the unique identification number of the Recognized Repair Technician that performed the repair work; and

L. Confirm that payment was collected or financed for the services rendered and/or parts replaced as listed on the itemized repair receipt(s).

4. Cost-based estimate waivers. Vehicles shall be issued a cost-based estimate waiver under the following conditions:

A. The subject vehicle has failed the initial emissions inspection or reinspection after repair(s) with a single DTC./J;

B. The vehicle has passed the bulb check test described in subparagraph (5)(B)2.A. of this rule, the data link connector test described in subparagraph (5)(B)3.A. of this rule, the communications test described in subparagraph (5)(B)3.B. of this rule, and the readiness monitor test described in paragraph (5)(B)4. of this rule./J;

C. The subject vehicle cannot have received either a cost-based waiver or a cost-based estimate waiver during a previous biennial inspection cycle for the same single DTC;

D. The vehicle owner has paid for a diagnostic test of that DTC by a Recognized Repair Technician or a vehicle repair business that specializes in a particular make of vehicle or type of repair (e.g., transmission repairs), with the items tested and the results described on the repair estimate; and

E. The diagnostic test results and parts required for the repair of the single DTC are documented by the shop to exceed four hundred fifty dollars (\$450).

5. The department reserves the right to investigate all cost-based waiver requests and submitted receipts. Cost-based waiver requests with incomplete information and/or receipts that do not identify the vehicle that was repaired, do not itemize the actual cost of the parts that were serviced, do not list the labor costs separately from the part costs, indicate that state sales tax was charged on air pollution control parts exempted from state sales tax as defined in paragraph (3)(K)2. of this rule, or contain fraudulent information or part costs as determined by department representatives will not be accepted by the department. If the conditions of paragraphs (3)(K)1.-(3)(K)4. of this rule have been met, the department representative shall issue a cost-based waiver and provide the windshield sticker to be affixed to the vehicle by the vehicle owner. The windshield sticker shall meet the requirements of paragraph (4)(F)2. of this rule.

6. The contractor shall provide the means to issue cost-based waivers, VIRs, and windshield stickers from either the department's offices or from a portable solution as required by the contract.

7. Out-of-area exemptions. Provided the vehicle owner or driver submits a completed, signed out-of-area affidavit to the department indicating that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of *Sections* 643.300 *[to]* 643.355, RSMo, for the next twenty-four (24) months, the department shall issue an emissions inspection VIR, with an indicator to show that the vehicle has received an out-of-area exemption to the vehicle owner or driver, and a windshield sticker shall be affixed to the subject vehicle.

8. Reciprocity waivers. Provided the vehicle owner or driver presents proof, acceptable to the department, that the subject vehicle has successfully passed an OBD emissions inspection in another state within the previous sixty (60) calendar days, the department shall issue an emissions inspection VIR with an indicator to show that the vehicle has received a reciprocity waiver to the vehicle owner or driver, and a windshield sticker shall be affixed to the subject vehicle.

A. Reciprocity waivers shall be issued if the motorist submits proof of a passing OBD emissions inspection from one (1) of the following states: Alaska, Arizona, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Louisiana, Maine, Massachusetts, Maryland, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee unless tested in Shelby County (Memphis), Rhode Island, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin.

B. Should any of these states discontinue the use of pass/fail OBD inspections, the reciprocity waiver shall not be granted.

9. Mileage exemptions. Provided the vehicle owner or driver submits the required information described in subsection (4)(H) of this rule, the department or the MDAS shall issue an emissions inspection VIR, with an indicator to show that the vehicle has received a mileage-based exemption to the vehicle owner or driver.

10. GVWR exemptions. Provided the emissions inspector verifies that the vehicle is over eight thousand five hundred pounds (8,500 lbs.) GVWR, the MDAS shall issue an emissions inspection VIR, with an indicator to show that the vehicle has received a GVWR exemption to the vehicle owner or driver.

11. The contractor shall provide the means to issue out-of-area, reciprocity, mileage, and GVWR waivers, exemptions, and VIRs, from either the department's offices or from a portable solution as required by the contract.

(N) Violations and Penalties.

1. Criminal penalties. Persons violating this rule shall be subject to the criminal penalties contained in */section/* 643.355, RSMo.

2. Procedural penalties. Fraudulent emissions inspections or repairs are a violation of this rule. All emissions inspection station operators and emissions inspectors shall comply with the emissions inspection law, */sections/* 643.300–643.355, RSMo, and this emissions inspection rule. All emissions inspections and repairs shall be conducted in accordance with this emissions inspection rule. The department shall cause unannounced tests of facilities */which/* that inspect, repair, service, or maintain motor vehicle emissions components and equipment, including submitting known high emission vehicles with known defects for inspection and repair without prior disclosure to the repair facility. Failure to comply with the emissions inspection law or the emissions inspection rule will subject the emissions inspection station manager and emissions inspector(s) to one (1) or more of the following procedural penalties:

- A. Warning;
- B. Lockouts as described in paragraph (3)(N)3. of this rule;
- C. Fines as described in paragraph (3)(N)4. of this rule;

D. Suspension or revocation of emissions inspection station and/or inspector licenses as described in **paragraph (3)(N)5.** of this rule;

E. The department's refusal to accept repair receipts from an inspection station or repair facility for the purpose of issuing cost-based waivers;

F. The department's revocation of Recognized Repair Technician status if the repair technician is reported by the department to the attorney general for unlawful merchandising practices according to */subsection/* 643.330.4., RSMo;

G. Reporting of unlawful merchandising practices as defined in */state statute/* Chapter 407, RSMo, by the department to the attorney general for appropriate legal proceedings under */sections/* 407.095 and 407.100, RSMo; and

H. Department or MSHP requests for investigation and/or criminal and civil penalties by the U.S. Environmental Protection Agency.

3. Lockouts. The department or MSHP may electronically lockout any emissions inspector, station, MRRT, or equipment if the department or MSHP identifies any irregularities within the emissions inspection database or any irregularities identified during either overt or covert audits. The lockout may precede warnings, license suspensions or revocations, or arrests. The state's contractor shall display a lockout warning on the monitor of any inspection equipment that is locked out by the department or MSHP. Lockouts shall prevent the performing of emissions inspections by the locked out party. Lockouts shall be cleared when the department or MSHP is satisfied that there is no longer a need for the lockout. Irregularities include, but are not limited to:

A. Failure to enter all required information properly and accurately as described in paragraph (3)(H)6. of this rule;

B. Uploading unclear pictures, uploading license plate pictures that do not match the license plate recorded on the VIR, or failing to upload pictures as described in paragraph (3)(H)7. of this rule;

C. Disconnecting or misdirecting the view of the USB lane camera described in subparagraph (3)(H)8. of this rule;

D. Clean scanning as described in */subsection (2)(B) and/* paragraph (3)(H)9. of this rule **and defined in 10 CSR 10-6.020**;

E. Performing more inspections than are physically possible for a given time duration;

F. Performing emissions inspections using another emissions inspector's fingerprint or password;

G. Conducting off-line inspections while the MDAS is not connected to the VID, unless the VID is off-line;

H. Conducting improper safety inspection of the air pollution control devices described in 11 CSR 50-2.280;

I. Bad faith or fraudulent repairs performed at the emissions inspection station or MRRT repair facility where—

(I) Vehicles repeatedly fail reinspections for the same rea-

sions that they initially failed the OBD test;

(II) Vehicle repairs are not qualifying repairs as */described in subsection (2)(W) of this rule/* **defined in 10 CSR 10-6.020**; or

(III) Physical visual inspection of the repaired vehicles determines that the repairs were not performed as described on the submitted repair receipts;

J. Installing or assisting motorists with the installation of aftermarket catalytic converters that do not conform to EPA's AMCC enforcement policy, which is incorporated by reference in subparagraph (3)(K)2.L. of this rule;

K. Installing or assisting motorists with the installation of aftermarket components that disable or compromise the capabilities of the vehicle manufacturer's EPA-certified emissions control system;

L. Failure to maintain a positive balance of emissions inspection credit authorizations described in subparagraph (3)(D)3.B. of this rule;

M. Failure to upload the emissions inspection results to the VID immediately upon completion of the inspection per paragraph (3)(H)2. of this rule;

N. Failure to properly reinspect vehicles that failed an initial emissions test per paragraph (3)(J)1. of this rule;

O. Failure to pay the VID Service Fees according to the terms of the contract between the contractor and licensed emissions inspection stations as described in paragraph (3)(D)4. of this rule;

P. Failure to download and install the latest version of lane software to the MDAS; and

Q. Failure to maintain dedicated data transmission capabilities for the emissions inspection equipment to stay online with the contractor's VID.

4. Fines. If anyone is found to have committed an intentional procedural violation of this rule or that anyone's procedural violation involved gross negligence of this rule, they are subject to a fine, and such fine shall be not less than five (5) times the amount of the fee described in paragraph (3)(D)1. of this rule.

5. Emissions inspection license suspension and revocation. Before any emissions inspection station license or emissions inspector license is suspended or revoked by the department or the MSHP, the holder will be notified, either in writing by certified mail or by personal service at the station's address of record, and given the opportunity to have an administrative hearing as provided by */section/* 643.320.3., RSMo.

A. Suspension of emissions inspection station and/or inspector licenses shall be for a period no less than thirty (30) days and not more than one (1) year.

B. Revocation of emissions inspection station and/or inspector licenses shall be for a period no less than one (1) year and not more than three (3) years.

6. Civil penalties. Installing catalytic converters that do not conform to EPA's AMCC enforcement policy, which is incorporated by reference in subparagraph (3)(K)2.L. of this rule, or installing aftermarket components that in any way bypass or compromise the vehicle manufacturer's emissions control system on a vehicle operated in the ozone nonattainment area is a violation of this rule and the federal Clean Air Act section 203(a)(3) (42 U.S.C. 7522 (a)(3)) and may result in the penalties described in the federal Clean Air Act section 205(a) (42 U.S.C. 7524 (a)).

A. Any manufacturer or new vehicle dealer who violates section 203(a)(3)(A) (42 U.S.C. 7522 (a)(3)(A)) of the federal Clean Air Act shall be subject to a civil penalty of not more than thirty-seven thousand five hundred dollars (\$37,500), as promulgated on December 11, 2008, by 73 FR 75340 by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408, which is hereby incorporated by reference in this rule. This rule does not incorporate any subsequent amendments or additions to the *Federal Register*. Any violation of section 203(a)(3)(A) (42 U.S.C. 7522 (a)(3)(A)) shall constitute a separate offense with respect to each motor vehicle or motor

vehicle engine.

B. Any person other than a manufacturer or new vehicle dealer who violates section 203(a)(3)(A) of the federal Clean Air Act (42 U.S.C. 7522 (a)(3)(A)) or any person who violates section 203(a)(3)(B) of the federal Clean Air Act (42 U.S.C. 7522 (a)(3)(B)) shall be subject to a civil penalty of not more than three thousand seven hundred fifty dollars (\$3,750), as promulgated on December 11, 2008 by 73 FR 75340, which is incorporated by reference in paragraph (3)(N)6.A. of this rule. Any violation of section 203(a)(3)(A) (42 U.S.C. 7522 (a)(3)(A)) shall constitute a separate offense with respect to each motor vehicle or motor vehicle engine. Any violation of section 203(a)(3)(B) (42 U.S.C. 7522 (a)(3)(B)) shall constitute a separate offense with respect to each part or component.

(4) Reporting and Record Keeping.

(B) Failing Vehicles. The VIR for the failing vehicle shall include:

1. A vehicle description, including the license plate number at the time of inspection, VIN, vehicle make, vehicle model, vehicle model year, fuel type, GVWR range, odometer reading at the time of the vehicle's OBD test, county of registration, and the complete mailing address (street address, city, and zip code) of the vehicle owner;
2. The date and time of inspection;
3. The unique identification number of the licensed emissions inspector performing the test, the unique identification number and location of the inspection station, and the unique identification number of the inspection equipment;
4. The applicable inspection standards;
5. The passing and failing OBD test results according to 40 CFR /part 85, subpart W, section 2223. Section 2223/ 85.2223, which is incorporated by reference in this rule, as published by the EPA, Office of Transportation and Air Quality, 2000 Traverwood, Ann Arbor, MI 48105 on April 5, 2001. This rule does not incorporate any subsequent amendments or additions to /section 2223/ 40 CFR 85.2223;

6. The results of the recall provisions check, if applicable, including the recall campaign;

7. A statement that the emissions inspection was performed in accordance with this state regulation;

8. The statement: "This inspection is mandated by your United States Congress";

9. A statement that the vehicle may be reinspected for free according to paragraph (3)(D)2. of this rule;

10. An off-line test indicator if the MDAS was not connected to the VID when the inspection was performed;

11. If the vehicle fails the DLC test described in subparagraph (5)(B)3.A. of this rule, the DLC failure reason as determined by the emissions inspector; and

12. If the vehicle fails the communications test described in subparagraph (5)(B)3.B. of this rule, the non-communications reason as determined by the MDAS.

(J) Out-of-Area Emissions-Exempt Vehicles. The out-of-area waiver VIR shall include:

1. A vehicle description, including the license plate number at the time of inspection, VIN, vehicle make, vehicle model, vehicle model year, fuel type, county of registration, and the complete name and address of the vehicle owner;

2. The date and time that the out-of-area exemption is issued;

3. The unique identification number of the department staff person issuing the out-of-area waiver, the /unique identification number and/ location of the department staff person, and the unique identification number of the inspection equipment used to issue the out-of-area waiver;

4. The county where the vehicle is being operated;

5. A statement that the results have been transmitted directly to the MDOR, and that the paper VIR may not be used for vehicle registration purposes; and

6. The statement: "This inspection is mandated by your United States Congress."

(5) Test Methods.

(A) To the extent possible, an OBD test, as defined in /subsection (2)/V of this rule, 10 CSR 10-6.020 and the contract, shall be performed on all 1996 and later model year light duty vehicles and light duty trucks powered by gasoline and all 1997 and later model year light duty vehicles and light duty trucks powered by diesel.

(B) The OBD test shall follow the procedures described in 40 CFR /part 85, subpart W, section 2222. Section 2222/ 85.2222, which is incorporated by reference in this rule, as published by the EPA, Office of Transportation and Air Quality, 2000 Traverwood, Ann Arbor, MI 48105 on April 5, 2001. This rule does not incorporate any subsequent amendments or additions to /section 2222/ 40 CFR 85.2222.

1. If the subject vehicle cannot be tested with the OBD test due to manufacturer design, then the subject vehicle shall be tested with only a bulb check test described in paragraph (5)(B)2. of this rule.

2. Bulb check test.

A. Vehicles will fail the bulb check portion of the OBD test if the /malfunction indicator light/ MIL is not illuminated while the key is in the on position and the engine is off (KOEO).

B. Vehicles will fail the bulb check portion of the OBD test if the /malfunction indicator light/ MIL is illuminated while the key is in the on position and the engine is running (KOER).

C. Vehicles with keyless ignitions shall be subject to a bulb check test.

D. Vehicles that fail the KOEO bulb check portion of the OBD test described in subparagraph (5)(B)2.A. of this rule /of the OBD test/ shall fail the OBD test. Repairs made to correct bulb check failures shall not be eligible for cost-based or estimate-based waivers.

3. Data link connector and /C/communications tests.

A. Data link connector test. Vehicles will fail the data link connector portion of the OBD test if the DLC is inaccessible due to manufacturer design, tampered with, blocked, or not located where the manufacturer located the DLC. The emissions inspector shall determine and record the reason for this failure in the MDAS for printing on the emissions VIR.

B. Communications test. Vehicles will fail the communications portion of the OBD test if the vehicle does not maintain sufficient voltage to the DLC during OBD communication or transmit the necessary information to the inspection equipment after three (3) thirty (30)-second attempts.

(I) If the vehicle does not communicate after two (2) thirty (30)-second communication attempts, inspectors shall verify that a valid communications failure exists by using the MDAS OBD verification tool to verify the communication failure according to the lane software procedures.

(II) If the OBD verification tool determines that the equipment is not capable of communicating with the vehicle, the MDAS shall automatically abort the OBD test and generate the emissions VIR described in subsection (4)(K) of this rule.

(III) If the OBD verification tool determines that the equipment is capable of communicating with the vehicle, inspectors shall make one (1) additional thirty (30)-second communication attempt. If the vehicle does not communicate with the MDAS, the MDAS shall determine and record the reason for this failure and print this reason on the emissions VIR.

C. Vehicles that fail the DLC or communications portion of the OBD test shall fail the OBD test.

D. Repairs made to correct failures for DLCs that have been tampered with, rendered inoperative, or removed, or failures for OBD communications as described in /parts/ subparagraphs

(5)(B)3.A. and (5)(B)3.B. of this rule, shall not be eligible for cost-based or estimate-based waivers.

4. Readiness monitor test.

A. 1996–2000 model year gasoline-powered vehicles may pass the readiness monitor portion of the OBD test if they have no more than two (2) unset non-continuous readiness monitors.

B. 2001 and newer model year gasoline-powered vehicles may pass the readiness monitor portion of the test if they have no more than one (1) unset non-continuous readiness monitor.

C. Gasoline-powered vehicles that fail the OBD test with a catalytic converter DTC (P0420/-J-P0439) present must have the catalyst monitor reset to pass the readiness monitor portion of the OBD retest.

D. Gasoline-powered vehicles will fail the readiness monitor portion of the OBD test if the following non-continuous monitors are not supported:

- (I) Oxygen sensor; and
- (II) Catalyst.

E. Vehicles that are on the readiness exemption table maintained by the contractor and authorized by the department shall be exempt from the readiness monitor portion of the OBD test.

F. Vehicles that fail the readiness monitor portion of the OBD test shall fail the OBD test. Vehicles must pass the readiness monitor portion of the OBD test to be eligible for a cost-based or estimate-based waiver.

G. Repairs made to correct failures for readiness monitor tampering caused by the installation of aftermarket components shall not be eligible for cost-based or estimate-based waivers.

5. Diagnostic trouble code test.

A. Vehicles will fail the diagnostic trouble code test if the OBD system has stored at least one (1) mature (non-pending, non-historic) DTC that commands the *[malfunction indicator light]* MIL to be illuminated.

B. Vehicles will fail the diagnostic trouble code test if the vehicle commands the MIL to be illuminated but the OBD system has no mature (non-pending, non-historic) DTCs stored in the system.

C. The contractor shall ensure that their inspection equipment's request for DTCs does not cause the MIL to be illuminated.

D. Vehicles that fail the DTC portion of the OBD test shall fail the OBD test.

AUTHORITY: section 643.310.1., RSMo Supp. [2008] 2011. Original rule filed Jan. 16, 2007, effective Aug. 30, 2007. Amended: Filed Oct. 1, 2008, effective May 30, 2009. Amended: Filed May 15, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 25, 2012. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., August 1, 2012. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.070 New Source Performance Regulations. The commission proposes to amend subsections (1)(A) and (1)(B) and section (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to adopt by reference new emission standards, updates, and clarifications to existing federal rule 40 CFR 60 that were promulgated from January 1, 2011, through February 16, 2012. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

(1) Applicability.

(A) The provisions of 40 CFR 60 promulgated as of June 30, [2010] 2011, and *Federal Register* Notice/s 75 FR 54970 and 75 FR 55636/ 77 FR 9304 promulgated [from July 1, 2010, through December 31, 2010] February 16, 2012, shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 60.4, 60.9, and 60.10 of subpart A;
2. Subpart B in its entirety;
3. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA); [and]

4. Incinerators which are subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O, as incorporated in 10 CSR 25-7.264, shall not be subjected to the requirements of this rule. The exemptions granted under 40 CFR 264.340(b), as incorporated in 10 CSR 25-7.264, are subject to this rule. All other applicable requirements of this chapter shall remain in effect as to the incinerators[.]; and

5. Any provisions of 40 CFR 60 that are stayed.

(3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart Title

(D) Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971

(Da) Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978

(Db) Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

- (Dc) Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
(E) Standards of Performance for Incinerators
(Ea) Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994
(Eb) Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
(Ec) Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996
(F) Standards of Performance for Portland Cement Plants
(G) Standards of Performance for Nitric Acid Plants
(H) Standards of Performance for Sulfuric Acid Plants
(I) Standards of Performance for Hot Mix Asphalt Facilities
(J) Standards of Performance for Petroleum Refineries
(Ja) Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
(K) Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
(Ka) Standards for Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
(Kb) Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
(L) Standards of Performance for Secondary Lead Smelters
(M) Standards of Performance for Secondary Brass and Bronze Production Plants
(N) Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
(Na) Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
(O) Standards of Performance for Sewage Treatment Plants
(P) Standards of Performance for Primary Copper Smelters
(Q) Standards of Performance for Primary Zinc Smelters
(R) Standards of Performance for Primary Lead Smelters
(S) Standards of Performance for Primary Aluminum Reduction Plants
(T) Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
(U) Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants
(V) Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants
(W) Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants
(X) Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
(Y) Standards of Performance for Coal Preparation Plants
(Z) Standards of Performance for Ferroalloy Production Facilities
(AA) Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983
(AAa) Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983
(BB) Standards of Performance for Kraft Pulp Mills
(CC) Standards of Performance for Glass Manufacturing Plants
(DD) Standards of Performance for Grain Elevators
(EE) Standards of Performance for Surface Coating of Metal Furniture
(GG) Standards of Performance for Stationary Gas Turbines
(HH) Standards of Performance for Lime Manufacturing Plants
(KK) Standards of Performance for Lead-Acid Battery Manufacturing Plants
(LL) Standards of Performance for Metallic Mineral Processing Plants
(MM) Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations
(NN) Standards of Performance for Phosphate Rock Plants
(PP) Standards of Performance for Ammonium Sulfate Manufacture
(QQ) Standards of Performance for the Graphic Arts Industry: Publication Roto-gravure Printing
(RR) Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations
(SS) Standards of Performance for Industrial Surface Coating: Large Appliances
(TT) Standards of Performance for Metal Coil Surface Coating
(UU) Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture
(VV) Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry
(VVa) Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
(WW) Standards of Performance for the Beverage Can Surface Coating Industry
(XX) Standards of Performance for Bulk Gasoline Terminals
(AAA) Standards of Performance for New Residential Wood Heaters
(BBB) Standards of Performance for the Rubber Tire Manufacturing Industry
(DDD) Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
(FFF) Standards of Performance for Flexible Vinyl and Urethane Coating and Printing
(GGG) Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries
(GGGa) Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
(HHH) Standards of Performance for Synthetic Fiber Production Facilities
(III) Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
(JJJ) Standards of Performance for Petroleum Dry Cleaners
(KKK) Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
(LLL) Standards of Performance for Onshore Natural Gas Processing: SO₂ Emissions
(NNN) Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
(OOO) Standards of Performance for Nonmetallic Mineral Processing Plants
(PPP) Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants
(QQQ) Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems
(RRR) Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes
(SSS) Standards of Performance for Magnetic Tape Coating Facilities
(TTT) Standards of Performance for Industrial Surface Coating:

Surface Coating of Plastic Parts for Business Machines
 (UUU) Standards of Performance for Calciners and Dryers in Mineral Industries
 (VVV) Standards of Performance for Polymeric Coating of Supporting Substrates Facilities
 (WWW) Standards of Performance for Municipal Solid Waste Landfills
 (AAAA) Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
 (CCCC) Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001
 (EEEE) Standards of Performance for Other Solid Waste Incineration Units for Which Construction Commenced After December 9, 2004, or for Which Modification or Reconstruction Is Commenced on or After June 16, 2006
(FFFF) Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004]
 (III) Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
 (JJJJ) Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
 (KKKK) Standards of Performance for Stationary Combustion Turbines
(LLLL) Standards of Performance for New Sewage Sludge Incineration Units

AUTHORITY: section 643.050, RSMo Supp. 2011. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the **Code of State Regulations**. Amended: Filed May 15, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 25, 2012. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., August 1, 2012. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations. The commission proposes to amend subsections (1)(A) and (1)(B) and section (3). If the commission adopts this rule action,

it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule establishes emission control technology, performance criteria, and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants. The purpose of this rulemaking is to adopt by reference new emission standards, updates, and clarifications to existing federal rule 40 CFR 63 that were promulgated from January 1, 2011, through February 16, 2012. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

(1) Applicability.

(A) The provisions of 40 CFR 63 promulgated as of June 30, [2010] 2011, and *Federal Register* Notices [75 FR 41991, 75 FR 51570, 75 FR 54970, 75 FR 55636, and 75 FR 77760] 76 FR 57913, 76 FR 70834, 76 FR 72050, 76 FR 74708, 76 FR 80261, 77 FR 556, and 77 FR 9304 promulgated from July 1, [2010] 2011, through [December 31, 2010] February 16, 2012, shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 63.13 and 63.15(a)(2) of subpart A; *[and]*
2. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA)*[.]*; *and*
3. Any provisions of 40 CFR 63 that are stayed.

(3) General Provisions. The following are the Maximum Achievable Control Technology (MACT) 40 CFR 63 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual source operations or installations in these categories are subject to this rule based on category specific parameters, as specified in the applicable subpart:

Subpart	Title
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(F) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry

(G) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater

(H) National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

(I) National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks

(L) National Emission Standards for Coke Oven Batteries

(M) National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities

(N) National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

(O) Ethylene Oxide Emissions Standards for Sterilization Facilities

(Q) National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers

(R) National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)

(S) National Emission Standards for Hazardous Air Pollutants

from the Pulp and Paper Industry

(T) National Emission Standards for Halogenated Solvent Cleaning

(U) National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins

(W) National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production

(X) National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting

(Y) National Emission Standards for Marine Tank Vessel Loading Operations

(AA) National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants

(BB) National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants

(CC) National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries

(DD) National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations

(EE) National Emission Standards for Magnetic Tape Manufacturing Operations

(GG) National Emission Standards for Aerospace Manufacturing and Rework Facilities

(HH) National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

(II) National Emission Standards for Shipbuilding & Ship Repair (Surface Coating)

(JJ) National Emission Standards for Wood Furniture Manufacturing Operations

(KK) National Emission Standards for the Printing and Publishing Industry

(LL) National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants

(MM) National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills

(OO) National Emission Standards for Tanks—Level 1

(PP) National Emission Standards for Containers

(QQ) National Emission Standards for Surface Impoundments

(RR) National Emission Standards for Individual Drain Systems

(SS) National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process

(TT) National Emission Standards for Equipment Leaks—Control Level 1

(UU) National Emission Standards for Equipment Leaks—Control Level 2 Standards

(VV) National Emission Standards for Oil-Water Separators and Organic-Water Separators

(WW) National Emission Standards for Storage Vessels (Tanks)—Control Level 2

(XX) National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations

(YY) National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards

(CCC) National Emission Standards for Hazardous Air Pollutants for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants

(DDD) National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production

(EEE) National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors

(GGG) National Emission Standards for Pharmaceuticals Production

(HHH) National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities

(III) National Emission Standards for Hazardous Air Pollutants for

Flexible Polyurethane Foam Production

(JJJ) National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins

(LLL) National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry

(MMM) National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production

(NNN) National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing

(OOO) National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

(PPP) National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production

(QQQ) National Emission Standards for Hazardous Air Pollutant Emissions for Primary Copper Smelting

(RRR) National Emission Standards for Hazardous Air Pollutants: Secondary Aluminum Production

(TTT) National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting

(UUU) National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units

(VVV) National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works

(XXX) National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese

(AAAA) National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

(CCCC) National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast

(DDDD) National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products

(EEEE) National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)

(FFFF) National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing

(GGGG) National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

(HHHH) National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production

(III) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light Duty Trucks

(JJJJ) National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating

(KKKK) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans

(MMMM) National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products

(NNNN) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances

(OOOO) National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles

(PPPP) National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products

(QQQQ) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products

(RRRR) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture

(SSSS) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil

(TTTT) National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations

(UUUU) National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing

(VVVV) National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing

(WWWW) National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production

(XXXX) National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing

(YYYY) National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines

(ZZZZ) National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

(AAAAA) National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants

(BBBBB) National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing

(CCCCC) National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks

(DDDDD) National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

(EEEEEE) National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries

(FFFFF) National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities

(GGGGG) National Emission Standards for Hazardous Air Pollutants: Site Remediation

(HHHHH) National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing

(III) National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants

(LLLLL) National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing

(MMMMM) National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations

(NNNNN) National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production

(PPPPP) National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands

(QQQQQ) National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities

(RRRRR) National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing

(SSSSS) National Emissions Standards for Hazardous Air Pollutants for Refractory Products Manufacturing

(TTTTT) National Emissions Standards for Hazardous Air Pollutants for Primary Magnesium Refining

(UUUUU) National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

(WWWWW) National Emission Standards for Hospital Ethylene Oxide Sterilizers

(YYYYY) National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities

(ZZZZZ) National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources

(BBBBBB) National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities

(CCCCCC) National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

(DDDDDD) National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources

(EEEEEE) National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources

(FFFFFF) National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources

(GGGGGG) National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium

(HHHHHH) National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

(JJJJJJ) National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers

(LLLLLL) National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources

(MMMMMM) National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources

(NNNNNN) National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds

(OOOOOO) National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources

(PPPPPP) National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources

(QQQQQQ) National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources

(RRRRRR) National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources

(SSSSSS) National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources

(TTTTTT) National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources

(VVVVVV) National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources

(WWWWWW) National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations

(XXXXXX) National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories

(YYYYYY) National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities

(ZZZZZZ) National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries

(AAAAAAA) National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing

(BBBBBBB) National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry

(CCCCCC) National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing

(DDDDDDDD) National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing

(EEEEEEE) National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category

AUTHORITY: section 643.050, RSMo Supp. 2011. Original rule filed May 1, 1996, effective Dec. 30, 1996. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 15, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 25, 2012. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., August 1, 2012. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The commission proposes to amend subsections (1)(A) and (1)(B). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants. The purpose of this rulemaking is to adopt by reference new emission standards, updates, and clarifications to existing federal rule 40 CFR 61 that were promulgated from January 1, 2011, through February 16, 2012. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

(1) Applicability.

(A) The provisions of 40 CFR 61 promulgated as of June 30, [2010] 2011/, and Federal Register Notice 75 FR 55636 promulgated from July 1, 2010, through December 31, 2010/, shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 61.04, 61.16, and 61.17 of subpart A;
2. Subparts B, H, I, K, Q, R, T, and W in their entirety; [*and*]
3. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA)/; and
4. Any provisions of 40 CFR 61 that are stayed.

AUTHORITY: section 643.050, RSMo Supp. 2011. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 15, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 25, 2012. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., August 1, 2012. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 1100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.020 Membership. The director is amending section (1).

PURPOSE: This amendment makes minor grammatical changes.

(1) A member must establish one (1) full share in [his/her] a share account within a specified time period as set by the board of directors; however, that period shall not be less than three (3) months and shall maintain this one (1) share [as long as s/he] to remain/s/ a member of the credit union. If a credit union lends to a member, [has a loan with his/her credit union, s/he] the member shall maintain one (1) full share in [his/her] a share account until [his/her] the loan has been paid in full, has been determined to be a collection problem loan, has been referred to a third party for collection, or until the balance is charged to the reserve fund as a bad debt.

AUTHORITY: section 370.100, RSMo [1986] Supp. 2011. This rule originally filed as 4 CSR 100-2.020. Original rule filed Jan. 15, 1968, effective Jan. 25, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 1100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.030 Surety Bond Requirement. The director is amending section (6).

PURPOSE: This amendment removes provisions related to limits placed on a surety blanket bond policy deductible.

(6) The maximum amount of deductible may not exceed the limit stated in NCUA Rules and Regulations, Part 713.

[(A) Any deductibles in excess of the above amounts must receive the prior written permission of the director.

(B) A deductible may not exceed ten percent (10%) of a credit union's Irrevocable Reserves unless a separate Contingency Reserve is set up for the excess. In computing the maximum deductible, valuation accounts such as the allowance for loan losses cannot be considered.]

AUTHORITY: section 370.100, RSMo [2000] Supp. 2011. This rule originally filed as 4 CSR 100-2.030. Original rule filed Jan. 15, 1968, effective Jan. 25, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 1100—Division of Credit Unions

Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.070 Completing Dissolution of Credit Union. The director is amending sections (1), (2), (3), and (6).

PURPOSE: This amendment makes minor grammatical changes.

(1) Immediately following the receipt of consent of dissolution from the director of *[credit unions]* the **Division of Credit Unions**, the liquidating agent will file with the director a list of all members holding accounts in the credit union, showing the number, name, and share and loan balances.

(2) The liquidating agent will begin filing the following quarterly reports with the director at *[his/her]* the director's office in Jefferson City, Missouri:

(B) A list of each loan account, showing number, name, total payments since last report, and balance. *[S/he also]* The agent shall also report action taken toward collection;

(3) The liquidating agent shall present plan of final distribution of funds to the director of *[credit unions]* the **Division of Credit Unions** for approval.

(6) *[S/he then]* The liquidating agent shall report the location of the storage of the credit union's books and records for five (5) subsequent years.

AUTHORITY: section 370.100, RSMo [1986] Supp. 2011. This rule originally filed as 4 CSR 100-2.070. Original rule filed Jan. 15, 1968, effective Jan. 25, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 1100—Division of Credit Unions

Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.085 Credit Union Service Organization (CUSO). The director is amending sections (9) and (10).

PURPOSE: This amendment makes minor grammatical changes.

(9) Director Access to Books and Records.

(A) A CUSO must agree, in writing, with its participating credit unions to provide the director or *[his/her]* the director's representative with complete access to any books and records of the CUSO and to make periodic reports in the manner and form deemed necessary by the director in carrying out *[his/her]* the director's duties.

(B) Any findings made by the director or *[his/her]* the director's representative that are intended for distribution to the CUSO's participating credit unions shall be presented first to the CUSO's board of directors. The CUSO shall be given fifteen (15) days to object in writing, with a detailed explanation, to any information contained in the director's findings that the CUSO reasonably believes could jeopardize its independent relationship with the CUSO's participating credit unions such that the credit unions would be exposed to liability. Such written objections shall be submitted to the director, who shall then make a determination as to the need to amend the findings prior to presenting them to the participating credit unions. The director or *[his/her]* the director's representative may make such additional inquiries or investigations as deemed necessary for a determination of the issue.

(10) Right to Appeal. In any matter relating to a credit union's interest in a CUSO that requires the director to *exercise his or her decision-making authority to* approve or deny a credit union's request, the credit union may *exercise its right to* appeal the director's denial pursuant to the provisions of Chapter 536, RSMo. Such appeal shall be heard pursuant to sections 536.100 to 536.140, RSMo, if such matter is deemed a contested case following a hearing before the division as determined by rules promulgated by the director. If no such hearing is available for review of the director's decision, then the credit union may seek review pursuant to the remedies afforded in section 536.150, RSMo.

AUTHORITY: sections 370.070[,] and 370.075, RSMo 2000, and sections 370.100 and 370.120, RSMo Supp. 2011. This rule originally filed as 4 CSR 100-2.085. Original rule filed Oct. 17, 1985, effective Jan. 26, 1986. Amended: Filed Nov. 30, 2001, effective May 30, 2002. Moved to 20 CSR 1100-2.085, effective Aug. 28, 2006. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 1100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.090 Unlocatable Members: Small Share Balances: How to Handle. The director is amending the purpose of the rule and sections (2) and (5).

PURPOSE: This amendment makes corrections to references of state law and minor grammatical changes.

PURPOSE: This rule gives the procedures for handling inactive accounts of unlocatable members (see sections [370.260(2)] 370.260.2. and 370.340, RSMo, for statutory requirements on expelling or withdrawing member accounts).

(2) When nonlocatable members are expelled pursuant to [*the Credit Union Act*] state law, share balances in those members' accounts shall be transferred to an unlocatable member accounts payable account and no further dividend shall be credited to these accounts; however, a record shall be maintained in the event the member later makes a claim upon the credit union for [*his/her*] the member's share balance, which shall be paid to [*him/her*] the member. All credit unions are required to file an annual report and remit all unclaimed property to Missouri per Chapter 470, RSMo.

(5) Attempts to locate members carried as unlocatable pursuant to this rule may be made by using a locator service under the provision of section [370.260(2)] 370.260.2., RSMo.

AUTHORITY: section 370.100, RSMo [1986] Supp. 2011. This rule originally filed as 4 CSR 100-2.090. Original rule filed Sept. 14, 1972, effective Sept. 24, 1972. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 1100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.100 Audits in Lieu of Examination: Procedure. The director is amending the purpose of the rule and section (1).

PURPOSE: This amendment makes corrections to reference of state law and minor grammatical changes.

PURPOSE: This rule establishes the requirements to be met before a credit union may have an audit in place of the regular examination by the division (see section [370.120(3)] 370.120.3., RSMo, for statutory provisions).

(1) The reports of an auditor who has audited a credit union may be accepted by the director in lieu of an examination by [*his/her office, where*] the **Division of Credit Unions** if the auditor has been approved by the director for the audit on the basis of a written application from the credit union for the acceptance of the audit in lieu of examination. Further, the director, in approving the performance of the audit, may require the submission of various classes of data, delineated by [*him/her*] the **director**, to be reported in the manner [*required by him/her*] and upon forms as [*s/he may require*] required by the director.

AUTHORITY: section 370.100, RSMo [1986] Supp. 2011. This rule originally filed as 4 CSR 100-2.100. Original rule filed Sept. 14, 1972, effective Sept. 24, 1972. Amended: Filed Dec. 15, 1975, effective Dec. 25, 1975. Moved to 20 CSR 1100-2.100, effective Aug. 28, 2006. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 1100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

20 CSR 1100-2.170 Audit [of] by Supervisory Committee. The director is amending the rule title and sections (1), (2), and (3).

PURPOSE: This amendment makes corrections to reference of state law and minor grammatical changes.

(1) The annual audit required by section 370.230/(5), RSMo, shall be performed by the supervisory committee or by contract with an audit firm acceptable to the Division of Credit Unions within the budget set by the board of directors.

(2) A copy of the annual audit required to be performed under section 370.230, RSMo, shall be submitted to the director of *[credit unions]* the **Division of Credit Unions** within thirty (30) days of the completion.

(3) Failure of the supervisory committee to make or cause to be made acceptable examinations and the annual audit as required in section 370.230, RSMo, may result in the director of *[credit unions]* the **Division of Credit Unions** requiring an outside independent audit of the books and records of the credit union. *[Cost]* The cost of *[the]* such audit shall be paid by the credit union.

AUTHORITY: section 370.100, RSMo [1986] Supp. 2011. This rule originally filed as 4 CSR 100-2.170. Original rule filed Dec. 15, 1975, effective Dec. 25, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed May 14, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Credit Unions, Ken Bonnot, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 2220—State Board of Pharmacy
Chapter 2—General Rules

PROPOSED RULE

20 CSR 2220-2.013 Prescription Delivery Requirements

PURPOSE: This rule establishes requirements for authorized prescription delivery sites.

(1) Every pharmacy delivering prescription drugs shall develop and implement written policies and procedures to ensure the safe and appropriate delivery of prescription drugs within the temperature requirements recommended by the manufacturer or the *United States Pharmacopeia* (USP). Except as otherwise provided herein, prescriptions filled by a Missouri licensed pharmacy may not be left at, accepted by, or delivered to a location, place of business or entity not licensed as a pharmacy.

(2) At the request of the patient or the patient's authorized designee, licensees may deliver a filled prescription for an individual patient directly to the patient or the patient's authorized designee or to—

(A) The office of a licensed health care practitioner authorized to prescribe medication in the state of Missouri;
(B) A long-term care facility as defined by 20 CSR 2220-2.140

where the patient resides;

(C) A hospital, office, clinic, or other medical institution that provides health care services;

(D) A residence designated by the patient or the patient's authorized designee; or

(E) The patient's office or place of employment.

(3) At the request of a customer, legally filled prescriptions for veterinary use may be delivered to a residence, business, or clinic designated by the customer.

(4) Licensees shall comply with all applicable controlled substance laws and regulations, including, but not limited to, all applicable security requirements.

(5) Returns of medication delivered pursuant to this section shall be governed by, and handled in accordance with, Chapter 338, RSMo, and the rules of the board.

AUTHORITY: section 338.280, RSMo 2000, and sections 338.095, 338.100, 338.140, and 338.240, RSMo Supp. 2011. Original rule filed May 14, 2012.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS**
Division 10—Division of Employment Security
Chapter 5—Appeals

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2011, and section 288.220.5., RSMo 2000, the division amends a rule as follows:

**8 CSR 10-5.030 Telephone Hearings Before a Hearing Officer
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2012 (37 MoReg 334–335). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 301.553, RSMo 2000, and sections 301.560 to 301.573, RSMo 2000

and Supp. 2011, the director amends a rule as follows:

**12 CSR 10-26.210 Dealer Seminar Certification Requirements
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2012 (37 MoReg 410–411). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and
Transportation Commission
Chapter 25—Motor Carrier Operations**

IN ADDITION

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers

PUBLIC NOTICE

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

SUMMARY: This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates, from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce, because of impaired vision, or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

DATES: Comments must be received at the address stated below, on or before July 1, 2012.

ADDRESSES: You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- **Email:** jeffrey.payne@modot.mo.gov
- **Mail:** PO Box 893, Jefferson City, MO 65102-0893
- **Hand Delivery:** 1320 Creek Trail Drive, Jefferson City, MO 65109
- **Instructions:** All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- **Docket:** For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., CT, Monday through Friday, except state holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Payne, Motor Carrier Specialist, (573) 751-7114, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-0893. Office hours are from 7:00 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

SUPPLEMENTARY INFORMATION:

Public Participation

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

Background

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, RSMo Supp. 2011, MoDOT may issue a SPE Certificate, for not more than a two- (2-) year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing a SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

Qualifications of Applicants

Application #6002

Renewal Applicant's Name & Age: Cary Allen Hagen, 40

Relevant Physical Condition: Mr. Hagen's corrected visual acuity in his left eye is 20/15 Snellen and he is blind in his right eye. Visual impairment was caused from an accident that occurred in 2001.

Relevant Driving Experience: Mr. Hagen has been employed as a driver with Pace Construction since 2003 as a teamster driver/laborer. He has driven school buses, has driven commercial vehicles in the family business, as well as driving personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in February 2012, his ophthalmologist certified that his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: No accidents or violations within the previous three (3) years.

Application #6004

Renewal Applicant's Name & Age: Eric Charles Hammer, 40

Relevant Physical Condition: Mr. Hammers's corrected visual acuity in his right eye is 20/25 Snellen and 20/400 in his left eye as a result of strabismic amblyopia since birth.

Relevant Driving Experience: Mr. Hammer has been employed as a driver with Ameren UE since 2001 as an electrical lineman, driving a commercial vehicle, and drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in April 2012, his optometrist certified that his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: No accidents or violations within the previous three (3) years.

Application #6124

Renewal Applicant's Name & Age: Johnny Lynn Meese, 57

Relevant Physical Condition: Mr. Meese's corrected visual acuity in his left eye is 20/20 Snellen and he has no light perception in his right eye. Visual impairment was caused from an accident that occurred over forty (40) years ago.

Relevant Driving Experience: Mr. Meese has been employed the past two (2) years with the Bernie R-XIII District as a bus driver, has driven grain and farm trucks his entire adult life, and drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in April 2012, his optometrist certified that his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: No accidents or violations within the previous three (3) years.

Application #5942

Applicant's Name & Age: Dominic E. Hanway, 40

Relevant Physical Condition: Mr. Hanway's best-corrected visual acuity in his left eye is 20/20 Snellen and he is legally blind in his right eye. He lost his right eye in 1999 as the result of an injury.

Relevant Driving Experience: Mr. Hanway has been employed with a farm in Forest City, MO since 2009. He has approximately three (3) years commercial motor vehicle driving experience. He currently has a Class A license and drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in March 2012, his optometrist certified that his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: No accidents or violations on record for the previous three (3) years.

Application #6323

Applicant's Name & Age: Randy Dale Kincannon, 55

Relevant Physical Condition: Mr. Kincannon's best-corrected visual acuity in his right eye is 20/20 Snellen and 20/200 in his left eye as a result of amblyopia exognopsia since childhood.

Relevant Driving Experience: Mr. Kincannon has over thirty (30) year's driving experience transporting hazardous materials for local businesses. He currently has a Class B license endorsed for hazardous materials and tank vehicles and drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in April 2012, his optometrist certified that his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: No accidents or violations on record for the previous three (3) years.

Request for Comments

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and 7 CSR 10-25.010,

requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: May 2, 2012

Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation.

Contractor Debarment List

**STATUTORY LIST OF CONTRACTORS
BARRED FROM PUBLIC WORKS PROJECTS**

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. In addition, this list includes contractor(s) that have agreed to placement on the list maintained by the Secretary of State pursuant to Section 290.330 as a part of the resolution of criminal charges of violating the Missouri Prevailing Wage Law. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State.

Contractors Convicted of Violations of the Missouri Prevailing Wage Law

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp. Case No. 0916-CR03145 (Jackson County Cir. Ct.)		4212 SE Saddlebrook Cir Lee's Summit, MO 64082	7/13/11	7/13/11 to 7/13/12

978

Contractors Agreeing to Placement on the Public Works Debarment List as Part of an Agreement Relating to Criminal Pleas

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp.		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12
Gerald Chevalier		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12

Dated this 2 day of August 2011.



Carla Busch-Jost, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Saxon W. Johnson, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Saxon W. Johnson including The Tile Doctor or (3) to any other simulation of Mr. Saxon W. Johnson or of The Tile Doctor for a period of one year, or until September 2, 2012.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Saxon W. Johnson DBA The Tile Doctor Case No. 10CA-CR01318 Cass County Cir. Ct.		10724 Haskins Ct Shawnee Mission, KS 66210	9/2/2011	9/2/2011-9/2/2012

Dated this 13 day of September 2011.



Carla Buschjost, Director

**ADDITION TO STATUTORY LIST OF CONTRACTORS
BARRED FROM PUBLIC WORKS PROJECTS**

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Larry G. McElroy, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Larry G. McElroy including Blackhawk or (3) to any other simulation of Mr. Larry G. McElroy or of Blackhawk Electric for a period of one year, or until December 27, 2012.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Larry G. McElroy DBA Blackhawk Electric Case No. 11CG-CR01157 Cape Girardeau County Cir. Ct.		254 E. Lake Dr., PO Box 248 Cape Girardeau, MO 63701	12/27/2011	12/27/2011-12/27/2012

Dated this 26 day of January, 2012.


Carla Buschjost, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Norman Bass, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Norman Bass including Municipal Construction Incorporated or (3) to any other simulation of Mr. Norman Bass or of Municipal Construction Incorporated for a period of one year, or until February 1, 2013.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Norman Bass DBA Municipal Construction Incorporated Case No. 12SO-CR00103 Scott County Cir. Ct.		10150 Hawthorne Ridge Goodrich, MI 48438	2/01/12	2/01/2012-2/01/2013

Dated this 17 day of February, 2012.



Carla Buschjost, Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

**Notice of Dissolution of Limited Liability Company to All Creditors of and Claimants
Against Labovitz & Whiteley, LLC**

On February 29, 2012, Labovitz & Whiteley, LLC filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Claims against the LLC must be submitted to Brent Labovitz, Attorney at Law, 7730 Carondelet Avenue, Suite 310, Clayton, Missouri 63105.

Claims must include 1) the name and address of the claimant, 2) the amount and date of the claim, and 3) a brief description of the basis of the claim, including documentation.

All claims will be barred unless commenced within three years after the date of the publication of this notice.

**NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
RED PARTNERS, LLC**

RED Partners, LLC, a Missouri limited liability company, filed a Notice of Winding Up on May 7, 2012. Any claims against the company may be sent to Scot Doyle, 40008 Worth, Chapel Hill, North Carolina 27517. Each claim must include the name, address, and telephone number of the claimant, the dates of occurrence of events upon which the claim is based and a brief description of the basis for the claim or the nature of the debt, the amount of the claim and whether the claim is secured, and, if so, the nature of the security. Any claim against RED Partners, LLC. will be barred unless a proceeding to enforce the claim is commenced within two (3) years after the publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				35 MoReg 1815
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.020	Animal Health		37 MoReg 907		
2 CSR 70-25.065	Plant Industries		37 MoReg 571		
2 CSR 70-30.110	Plant Industries		37 MoReg 571		
2 CSR 70-30.115	Plant Industries		37 MoReg 572		
2 CSR 80-1.010	State Milk Board		37 MoReg 573		
2 CSR 80-2.010	State Milk Board		37 MoReg 505R		
			37 MoReg 505		
2 CSR 80-2.020	State Milk Board		37 MoReg 573		
2 CSR 80-2.030	State Milk Board		37 MoReg 573		
2 CSR 80-2.040	State Milk Board		37 MoReg 574		
2 CSR 80-2.050	State Milk Board		37 MoReg 574		
2 CSR 80-2.060	State Milk Board		37 MoReg 575		
2 CSR 80-2.070	State Milk Board		37 MoReg 575		
2 CSR 80-2.080	State Milk Board		37 MoReg 577		
2 CSR 80-2.091	State Milk Board		37 MoReg 577		
2 CSR 80-2.101	State Milk Board		37 MoReg 578		
2 CSR 80-2.110	State Milk Board		37 MoReg 578		
2 CSR 80-2.121	State Milk Board		37 MoReg 578		
2 CSR 80-2.130	State Milk Board		37 MoReg 579		
2 CSR 80-2.141	State Milk Board		37 MoReg 579		
2 CSR 80-2.151	State Milk Board		37 MoReg 580		
2 CSR 80-2.161	State Milk Board		37 MoReg 580		
2 CSR 80-2.170	State Milk Board		37 MoReg 581		
2 CSR 80-2.180	State Milk Board		37 MoReg 581		
2 CSR 80-4.010	State Milk Board		37 MoReg 581		
2 CSR 90-10	Weights and Measures				36 MoReg 1762
DEPARTMENT OF CONSERVATION					
3 CSR 10-6.415	Conservation Commission		37 MoReg 582		
3 CSR 10-7.455	Conservation Commission				37 MoReg 118
3 CSR 10-11.120	Conservation Commission		37 MoReg 582		
3 CSR 10-11.180	Conservation Commission		37 MoReg 583		
3 CSR 10-12.109	Conservation Commission		37 MoReg 583		
3 CSR 10-12.110	Conservation Commission		37 MoReg 583		
3 CSR 10-12.125	Conservation Commission		37 MoReg 584		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 170-7.010	Missouri Housing Development Commission		37 MoReg 7R	37 MoReg 694R	
4 CSR 170-7.020	Missouri Housing Development Commission		37 MoReg 7R	37 MoReg 694R	
4 CSR 170-7.030	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 694R	
4 CSR 170-7.040	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 694R	
4 CSR 170-7.050	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 695R	
4 CSR 170-7.100	Missouri Housing Development Commission		37 MoReg 8	37 MoReg 695	
4 CSR 170-7.200	Missouri Housing Development Commission		37 MoReg 9	37 MoReg 695	
4 CSR 170-7.300	Missouri Housing Development Commission		37 MoReg 10	37 MoReg 695	
4 CSR 170-7.400	Missouri Housing Development Commission		37 MoReg 11	37 MoReg 695	
4 CSR 170-7.500	Missouri Housing Development Commission		37 MoReg 12	37 MoReg 695	
4 CSR 170-7.600	Missouri Housing Development Commission		37 MoReg 14	37 MoReg 696	
4 CSR 240-20.065	Public Service Commission		37 MoReg 315		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-100.200	Division of Learning Services		37 MoReg 507		
5 CSR 20-100.250	Division of Learning Services		37 MoReg 333		
5 CSR 20-400.150	Division of Learning Services		37 MoReg 509		
5 CSR 20-400.160	Division of Learning Services		37 MoReg 509		
5 CSR 20-400.170	Division of Learning Services		37 MoReg 510		
5 CSR 20-400.180	Division of Learning Services		37 MoReg 510		
5 CSR 20-400.190	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.200	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.250	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.260	Division of Learning Services		37 MoReg 512		
5 CSR 20-400.280	Division of Learning Services		37 MoReg 512		
5 CSR 20-500.330	Division of Learning Services		37 MoReg 908		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 30-261.025	Division of Financial and Administrative Services		37 MoReg 912		
5 CSR 50-378.100	Division of School Improvement		37 MoReg 97R	37 MoReg 924R	
5 CSR 50-380.010	Division of School Improvement		37 MoReg 97R	37 MoReg 924R	
5 CSR 50-390.010	Division of School Improvement		37 MoReg 97R	37 MoReg 924R	
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.010	Missouri Highways and Transportation Commission				37 MoReg 861 This Issue
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.010	Division of Employment Security		37 MoReg 679		
8 CSR 10-5.030	Division of Employment Security		37 MoReg 334	This Issue	
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.240	Director, Department of Mental Health	37 MoReg 147	36 MoReg 2369	37 MoReg 607	
9 CSR 10-31.040	Director, Department of Mental Health		37 MoReg 335		
9 CSR 30-4.030	Certification Standards		37 MoReg 15	37 MoReg 735	
9 CSR 30-4.034	Certification Standards		37 MoReg 17	37 MoReg 735	
9 CSR 30-4.035	Certification Standards		37 MoReg 18	37 MoReg 735	
9 CSR 30-4.039	Certification Standards		37 MoReg 19	37 MoReg 736	
9 CSR 30-4.042	Certification Standards		37 MoReg 20	37 MoReg 736	
9 CSR 30-4.043	Certification Standards		37 MoReg 20	37 MoReg 736	
9 CSR 30-4.046	Certification Standards		37 MoReg 22	37 MoReg 737	
9 CSR 45-2.010	Division of Mental Retardation and Developmental Disabilities		37 MoReg 337		
9 CSR 45-2.015	Division of Mental Retardation and Developmental Disabilities		37 MoReg 352		
9 CSR 45-2.017	Division of Mental Retardation and Developmental Disabilities		37 MoReg 355		
9 CSR 45-2.020	Division of Mental Retardation and Developmental Disabilities		37 MoReg 377		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.385	Air Conservation Commission		36 MoReg 2520	37 MoReg 924	
10 CSR 10-5.381	Air Conservation Commission		This Issue		
10 CSR 10-5.385	Air Conservation Commission		36 MoReg 2521	37 MoReg 925	
10 CSR 10-6.060	Air Conservation Commission		37 MoReg 379		
10 CSR 10-6.065	Air Conservation Commission		37 MoReg 383		
10 CSR 10-6.070	Air Conservation Commission		This Issue		
10 CSR 10-6.075	Air Conservation Commission		This Issue		
10 CSR 10-6.080	Air Conservation Commission		This Issue		
10 CSR 10-6.260	Air Conservation Commission		37 MoReg 388		
10 CSR 10-6.410	Air Conservation Commission		37 MoReg 392		
10 CSR 20-6.100	Clean Water Commission		36 MoReg 2906R 36 MoReg 2906 37 MoReg 393R 37 MoReg 394		
10 CSR 20-7.031	Clean Water Commission		36 MoReg 2521	37 MoReg 737	
10 CSR 140-8.010	Division of Energy		37 MoReg 513		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-12.010	Adjutant General <i>(Changed to 11 CSR 30-13.010)</i>		37 MoReg 152		
11 CSR 10-12.020	Adjutant General <i>(Changed to 11 CSR 30-13.020)</i>		37 MoReg 152		
11 CSR 10-12.030	Adjutant General <i>(Changed to 11 CSR 30-13.030)</i>		37 MoReg 153		
11 CSR 10-12.040	Adjutant General <i>(Changed to 11 CSR 30-13.040)</i>		37 MoReg 153		
11 CSR 10-12.050	Adjutant General <i>(Changed to 11 CSR 30-13.050)</i>		37 MoReg 153		
11 CSR 10-12.060	Adjutant General <i>(Changed to 11 CSR 30-13.060)</i>		37 MoReg 154		
11 CSR 30-12.010	Office of the Director	37 MoReg 93	37 MoReg 98		
11 CSR 30-13.010	Office of the Director <i>(Changed from 11 CSR 10-12.010)</i>		37 MoReg 152		
11 CSR 30-13.020	Office of the Director <i>(Changed from 11 CSR 10-12.020)</i>		37 MoReg 152		
11 CSR 30-13.030	Office of the Director <i>(Changed from 11 CSR 10-12.030)</i>		37 MoReg 153		
11 CSR 30-13.040	Office of the Director <i>(Changed from 11 CSR 10-12.040)</i>		37 MoReg 153		
11 CSR 30-13.050	Office of the Director <i>(Changed from 11 CSR 10-12.050)</i>		37 MoReg 153		
11 CSR 30-13.060	Office of the Director <i>(Changed from 11 CSR 10-12.060)</i>		37 MoReg 154		
11 CSR 30-13.070	Office of the Director		37 MoReg 155		
11 CSR 30-13.080	Office of the Director		37 MoReg 156		
11 CSR 30-13.090	Office of the Director		37 MoReg 156		
11 CSR 30-13.100	Office of the Director		37 MoReg 156		
11 CSR 30-13.110	Office of the Director		37 MoReg 157		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 45-5.181	Missouri Gaming Commission		37 MoReg 679		
11 CSR 45-5.185	Missouri Gaming Commission		37 MoReg 407		
11 CSR 45-8.130	Missouri Gaming Commission		37 MoReg 408		
11 CSR 45-9.020	Missouri Gaming Commission		37 MoReg 912		
11 CSR 45-9.106	Missouri Gaming Commission		37 MoReg 410		
11 CSR 45-9.108	Missouri Gaming Commission		36 MoReg 2687	37 MoReg 696	
11 CSR 45-9.114	Missouri Gaming Commission		37 MoReg 680		
11 CSR 45-9.118	Missouri Gaming Commission		37 MoReg 106	37 MoReg 925	
11 CSR 45-9.120	Missouri Gaming Commission		37 MoReg 410		
DEPARTMENT OF REVENUE					
12 CSR 10-23.446	Director of Revenue		37 MoReg 237	37 MoReg 926	
12 CSR 10-26.210	Director of Revenue		37 MoReg 410	This Issue	
12 CSR 10-41.010	Director of Revenue	36 MoReg 2455	36 MoReg 2687	37 MoReg 467	
12 CSR 30-4.010	State Tax Commission		37 MoReg 157	37 MoReg 857W	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 40-2.395	Family Support Division		37 MoReg 517		
13 CSR 70-3.230	MO HealthNet Division		37 MoReg 23	37 MoReg 699	
13 CSR 70-3.240	MO HealthNet Division		37 MoReg 106	37 MoReg 926	
13 CSR 70-4.110	MO HealthNet Division		37 MoReg 111	37 MoReg 700	
13 CSR 70-10.160	MO HealthNet Division		37 MoReg 441		
13 CSR 70-15.200	MO HealthNet Division		37 MoReg 27R	37 MoReg 700R	
13 CSR 70-15.220	MO HealthNet Division		37 MoReg 681		
DEPARTMENT OF CORRECTIONS					
14 CSR 80-4.010	State Board of Probation and Parole		37 MoReg 160	37 MoReg 857	
14 CSR 80-4.020	State Board of Probation and Parole		37 MoReg 160	37 MoReg 857	
14 CSR 80-4.030	State Board of Probation and Parole		37 MoReg 161	37 MoReg 857	
ELECTED OFFICIALS					
15 CSR 30-51.100	Secretary of State		37 MoReg 912		
15 CSR 30-51.180	Secretary of State		37 MoReg 913		
15 CSR 40-3.020	State Auditor		37 MoReg 518		
15 CSR 40-3.030	State Auditor		37 MoReg 518		
15 CSR 40-5.010	State Auditor		37 MoReg 519R		
15 CSR 50-4.030	Treasurer	37 MoReg 731	37 MoReg 733		
RETIREMENT SYSTEMS					
16 CSR 10-3.020	The Public School Retirement System of Missouri		37 MoReg 914		
16 CSR 10-5.030	The Public School Retirement System of Missouri		37 MoReg 163	37 MoReg 857	
16 CSR 10-6.030	The Public School Retirement System of Missouri		37 MoReg 915		
16 CSR 10-6.090	The Public School Retirement System of Missouri		37 MoReg 164	37 MoReg 858	
16 CSR 20-2.083	Missouri Local Government Employees' Retirement System (LAGERS)		37 MoReg 915R		
16 CSR 50-2.010	The County Employees' Retirement Fund		37 MoReg 165	37 MoReg 926	
16 CSR 50-2.160	The County Employees' Retirement Fund		37 MoReg 165	37 MoReg 927	
16 CSR 50-3.010	The County Employees' Retirement Fund		37 MoReg 165	37 MoReg 927	
BOARDS OF POLICE COMMISSIONERS					
17 CSR 20-2.015	St. Louis Board of Police Commissioners		37 MoReg 915		
17 CSR 20-2.025	St. Louis Board of Police Commissioners		37 MoReg 916		
17 CSR 20-2.035	St. Louis Board of Police Commissioners		37 MoReg 916		
17 CSR 20-2.055	St. Louis Board of Police Commissioners		37 MoReg 917		
17 CSR 20-2.065	St. Louis Board of Police Commissioners		37 MoReg 918		
17 CSR 20-2.085	St. Louis Board of Police Commissioners		37 MoReg 918		
17 CSR 20-2.105	St. Louis Board of Police Commissioners		37 MoReg 919		
17 CSR 20-2.125	St. Louis Board of Police Commissioners		37 MoReg 920		
17 CSR 20-3.015	St. Louis Board of Police Commissioners		37 MoReg 921		
17 CSR 20-3.025	St. Louis Board of Police Commissioners		37 MoReg 922		
17 CSR 20-3.055	St. Louis Board of Police Commissioners		37 MoReg 922		
17 CSR 20-3.085	St. Louis Board of Police Commissioners		37 MoReg 923		
17 CSR 20-3.105	St. Louis Board of Police Commissioners		37 MoReg 923		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 10-10	Office of the Director				36 MoReg 1700
19 CSR 20-26.030	Division of Community and Public Health		37 MoReg 519R		
19 CSR 20-26.040	Division of Community and Public Health		37 MoReg 519		
19 CSR 20-28.010	Division of Community and Public Health		37 MoReg 27	37 MoReg 700	
19 CSR 20-28.040	Division of Community and Public Health		37 MoReg 38	37 MoReg 700	
19 CSR 30-1	Division of Regulation and Licensure				36 MoReg 1702
19 CSR 30-20	Division of Regulation and Licensure				36 MoReg 1704
19 CSR 30-40.365	Division of Regulation and Licensure		37 MoReg 523		
19 CSR 30-70.620	Division of Regulation and Licensure		37 MoReg 44	37 MoReg 701	
19 CSR 30-70.630	Division of Regulation and Licensure		37 MoReg 44	37 MoReg 701	
19 CSR 30-81.015	Division of Regulation and Licensure		37 MoReg 523R		
19 CSR 30-84.030	Division of Regulation and Licensure		37 MoReg 684		
19 CSR 30-85.022	Division of Regulation and Licensure		37 MoReg 585		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
19 CSR 30-86.022	Division of Regulation and Licensure		37 MoReg 592		
19 CSR 30-86.043	Division of Regulation and Licensure		37 MoReg 524		
19 CSR 30-86.047	Division of Regulation and Licensure		37 MoReg 525		
19 CSR 30-88.020	Division of Regulation and Licensure		37 MoReg 602		
19 CSR 60-50	Missouri Health Facilities Review Committee				37 MoReg 862 37 MoReg 928

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

20 CSR	Applied Behavior Analysis Maximum Benefit			37 MoReg 472	
20 CSR	Construction Claims Binding Arbitration Cap			36 MoReg 192	
20 CSR	Sovereign Immunity Limits			37 MoReg 62	
20 CSR	State Legal Expense Fund Cap			36 MoReg 192	
				37 MoReg 62	
20 CSR 100-5.020	Insurer Conduct	36 MoReg 2897	36 MoReg 2920 37 MoReg 166	37 MoReg 858	
20 CSR 200-12.030	Insurance Solvency and Company Regulation		37 MoReg 238		
20 CSR 200-18.030	Insurance Solvency and Company Regulation	37 MoReg 150	37 MoReg 168		
20 CSR 700-1.160	Insurance Licensing	37 MoReg 150	37 MoReg 171		
20 CSR 1100-2.020	Division of Credit Unions		This Issue		
20 CSR 1100-2.030	Division of Credit Unions		This Issue		
20 CSR 1100-2.070	Division of Credit Unions		This Issue		
20 CSR 1100-2.085	Division of Credit Unions		This Issue		
20 CSR 1100-2.090	Division of Credit Unions		This Issue		
20 CSR 1100-2.100	Division of Credit Unions		This Issue		
20 CSR 1100-2.170	Division of Credit Unions		This Issue		
20 CSR 2010-2.022	Missouri State Board of Accountancy		37 MoReg 112	37 MoReg 701	
20 CSR 2110-2.010	Missouri Dental Board		37 MoReg 604		
20 CSR 2110-2.030	Missouri Dental Board		37 MoReg 604		
20 CSR 2110-2.050	Missouri Dental Board		37 MoReg 605		
20 CSR 2110-2.070	Missouri Dental Board		37 MoReg 605		
20 CSR 2150-1.011	State Board of Registration for the Healing Arts		37 MoReg 173R 37 MoReg 173	37 MoReg 858R 37 MoReg 858	
20 CSR 2150-3.203	State Board of Registration for the Healing Arts		37 MoReg 178	37 MoReg 858	
20 CSR 2150-4.201	State Board of Registration for the Healing Arts		37 MoReg 178		
20 CSR 2150-4.203	State Board of Registration for the Healing Arts		37 MoReg 179		
20 CSR 2150-4.205	State Board of Registration for the Healing Arts		37 MoReg 180		
20 CSR 2150-5.026	State Board of Registration for the Healing Arts		37 MoReg 241		
20 CSR 2150-5.028	State Board of Registration for the Healing Arts		37 MoReg 241		
20 CSR 2165-2.050	Board of Examiners for Hearing Instrument Specialists		37 MoReg 113	37 MoReg 701	
20 CSR 2205-3.010	Missouri Board of Occupational Therapy		37 MoReg 180	37 MoReg 858	
20 CSR 2205-3.020	Missouri Board of Occupational Therapy		37 MoReg 184	37 MoReg 859	
20 CSR 2205-3.030	Missouri Board of Occupational Therapy		37 MoReg 187	37 MoReg 859	
20 CSR 2220-2.013	State Board of Pharmacy		This Issue		
20 CSR 2220-2.145	State Board of Pharmacy		37 MoReg 190	37 MoReg 859	
20 CSR 2220-6.060	State Board of Pharmacy		37 MoReg 244		
20 CSR 2220-6.070	State Board of Pharmacy		37 MoReg 245		
20 CSR 2220-6.080	State Board of Pharmacy		37 MoReg 251		
20 CSR 2270-1.021	Missouri Veterinary Medical Board		37 MoReg 190	37 MoReg 859	
20 CSR 2270-2.031	Missouri Veterinary Medical Board		37 MoReg 191	37 MoReg 859	
20 CSR 2270-2.041	Missouri Veterinary Medical Board		37 MoReg 195	37 MoReg 860	
20 CSR 2270-3.020	Missouri Veterinary Medical Board		37 MoReg 199	37 MoReg 860	

MISSOURI CONSOLIDATED HEALTH CARE PLAN

22 CSR 10-1.010	Health Care Plan		36 MoReg 2711	37 MoReg 616	
22 CSR 10-1.020	Health Care Plan		36 MoReg 2712	37 MoReg 616	
22 CSR 10-2.010	Health Care Plan	36 MoReg 2455	36 MoReg 2712	37 MoReg 616	
22 CSR 10-2.020	Health Care Plan	36 MoReg 2463R 36 MoReg 2463	36 MoReg 2719R 36 MoReg 2720	37 MoReg 620R 37 MoReg 620	
22 CSR 10-2.030	Health Care Plan	36 MoReg 2471	36 MoReg 2730	37 MoReg 626	
22 CSR 10-2.045	Health Care Plan	36 MoReg 2472	36 MoReg 2734	37 MoReg 626	
22 CSR 10-2.051	Health Care Plan	36 MoReg 2473	36 MoReg 2735	37 MoReg 627	
22 CSR 10-2.052	Health Care Plan	36 MoReg 2475	36 MoReg 2739	37 MoReg 627	
22 CSR 10-2.053	Health Care Plan	36 MoReg 2476	36 MoReg 2742	37 MoReg 628	
22 CSR 10-2.054	Health Care Plan	36 MoReg 2476	36 MoReg 2746	37 MoReg 628	
22 CSR 10-2.055	Health Care Plan	36 MoReg 2477R 36 MoReg 2478	36 MoReg 2749R 36 MoReg 2749	37 MoReg 628R 37 MoReg 629	
22 CSR 10-2.060	Health Care Plan		36 MoReg 2756	37 MoReg 632	
22 CSR 10-2.070	Health Care Plan		36 MoReg 2760	37 MoReg 633	
22 CSR 10-2.075	Health Care Plan	36 MoReg 2482	36 MoReg 2761	37 MoReg 633	
22 CSR 10-2.090	Health Care Plan	36 MoReg 2486	36 MoReg 2764	37 MoReg 633	
22 CSR 10-2.091	Health Care Plan	36 MoReg 2488	36 MoReg 2769	37 MoReg 471	
22 CSR 10-2.092	Health Care Plan		36 MoReg 2770R 36 MoReg 2770	37 MoReg 633R 37 MoReg 633	
22 CSR 10-2.093	Health Care Plan		36 MoReg 2772R 36 MoReg 2772	37 MoReg 634R 37 MoReg 634	
22 CSR 10-2.094	Health Care Plan	36 MoReg 2489	36 MoReg 2774	37 MoReg 471	
22 CSR 10-2.095	Health Care Plan	36 MoReg 2490	36 MoReg 2776	37 MoReg 634	
22 CSR 10-2.100	Health Care Plan	36 MoReg 2491	36 MoReg 2778	37 MoReg 634	
22 CSR 10-3.010	Health Care Plan	36 MoReg 2491	36 MoReg 2778	37 MoReg 634	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
22 CSR 10-3.020	Health Care Plan	36 MoReg 2498R 36 MoReg 2499	36 MoReg 2785R 36 MoReg 2785	37 MoReg 638R 37 MoReg 638	
22 CSR 10-3.030	Health Care Plan		36 MoReg 2794	37 MoReg 642	
22 CSR 10-3.045	Health Care Plan	36 MoReg 2505	36 MoReg 2798	37 MoReg 642	
22 CSR 10-3.053	Health Care Plan	36 MoReg 2506	36 MoReg 2799	37 MoReg 643	
22 CSR 10-3.054	Health Care Plan	36 MoReg 2507	36 MoReg 2803	37 MoReg 643	
22 CSR 10-3.055	Health Care Plan		36 MoReg 2806	37 MoReg 644	
22 CSR 10-3.056	Health Care Plan		36 MoReg 2809	37 MoReg 644	
22 CSR 10-3.057	Health Care Plan	36 MoReg 2508R 36 MoReg 2509	36 MoReg 2812R 36 MoReg 2812	37 MoReg 645R 37 MoReg 645	
22 CSR 10-3.060	Health Care Plan		36 MoReg 2819	37 MoReg 649	
22 CSR 10-3.070	Health Care Plan		36 MoReg 2823	37 MoReg 649	
22 CSR 10-3.075	Health Care Plan	36 MoReg 2513	36 MoReg 2824	37 MoReg 649	
22 CSR 10-3.090	Health Care Plan	36 MoReg 2516	36 MoReg 2827	37 MoReg 649	
22 CSR 10-3.092	Health Care Plan		36 MoReg 2832R 36 MoReg 2832	37 MoReg 649R 37 MoReg 650	
22 CSR 10-3.093	Health Care Plan		36 MoReg 2835R 36 MoReg 2835	37 MoReg 650R 37 MoReg 650	
22 CSR 10-3.100	Health Care Plan	36 MoReg 2519	36 MoReg 2837	37 MoReg 650	

Agency	Publication	Effective	Expiration
Department of Economic Development			
Public Service Commission			
4 CSR 240-31.010 Definitions . . . . .	.Next Issue	June 1, 2012	Feb. 28, 2013
Department of Mental Health			
Director, Department of Mental Health			
9 CSR 10-5.240 Health Home . . . . .	.37 MoReg 147	Jan. 1, 2012	June 28, 2012
Department of Revenue			
Director of Revenue			
12 CSR 10-41.010 Annual Adjusted Rate of Interest . . . . .	.36 MoReg 2455	Jan. 1, 2012	June 28, 2012
Elected Officials			
Treasurer			
15 CSR 50-4.030 Missouri MOST 529 Matching Grant Program . . . . .	.37 MoReg 731	April 15, 2012	Jan. 23, 2013
Department of Insurance, Financial Institutions and Professional Registration			
Insurer Conduct			
20 CSR 100-5.020 Grievance Review Procedures . . . . .	.36 MoReg 2897	Jan. 1, 2012	June 28, 2012
Insurance Solvency and Company Regulations			
20 CSR 200-18.030 Licensure of Motor Vehicle Extended Service Contract Producers . . . . .	.37 MoReg 150	Jan. 9, 2012	July 6, 2012
Insurance Licensing			
20 CSR 700-1.160 Licensing and Authorization of Portable Electronics Insurance Producers and Related Entities . . . . .	.37 MoReg 150	Jan. 9, 2012	July 6, 2012
State Committee of Dietitians			
20 CSR 2115-1.040 Fees . . . . .	.36 MoReg 2899	Dec. 20, 2011	June 16, 2012
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.010 Definitions . . . . .	.36 MoReg 2455	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.020 General Membership Provisions (Rescission) . . . . .	.36 MoReg 2463	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.020 General Membership Provisions . . . . .	.36 MoReg 2463	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.030 Contributions . . . . .	.36 MoReg 2471	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.045 Plan Utilization Review Policy . . . . .	.36 MoReg 2472	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2473	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.052 PPO 600 Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2475	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.053 High Deductible Health Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2476	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges (Rescission) . . . . .	.36 MoReg 2477	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2478	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.075 Review and Appeals Procedure . . . . .	.36 MoReg 2482	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.090 Pharmacy Benefit Summary . . . . .	.36 MoReg 2486	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.095 TRICARE Supplement Plan . . . . .	.36 MoReg 2490	Jan. 1, 2012	June 28, 2012
22 CSR 10-2.100 Fully-Insured Medical Plan Provisions . . . . .	.36 MoReg 2491	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.010 Definitions . . . . .	.36 MoReg 2491	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.020 Subscriber Agreement and General Membership Provisions (Rescission) . . . . .	.36 MoReg 2498	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.020 General Membership Provisions . . . . .	.36 MoReg 2499	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.045 Plan Utilization Review Policy . . . . .	.36 MoReg 2505	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.053 PPO 1000 Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2506	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.054 PPO 2000 Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2507	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.057 Medical Plan Benefit Provisions and Covered Charges (Rescission) . . . . .	.36 MoReg 2508	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.057 Medical Plan Benefit Provisions and Covered Charges . . . . .	.36 MoReg 2509	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.075 Review and Appeals Procedure . . . . .	.36 MoReg 2513	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.090 Pharmacy Benefit Summary . . . . .	.36 MoReg 2516	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.100 Fully-Insured Medical Plan Provisions . . . . .	.36 MoReg 2519	Jan. 1, 2012	June 28, 2012

**Executive
Orders**

Subject Matter

Filed Date

Publication

2012

12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012	March 13, 2012	37 MoReg 569
12-04	Activates the state militia in response to severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 503
12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 501
12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly	Jan. 23, 2012	37 MoReg 313
12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 23, 2012	37 MoReg 311

2011

11-25	Extends the declaration of emergency contained in Executive Order 11-06 (and extended by Executive Orders 11-09, 11-19, and 11-23) until March 15, 2012, unless extended in whole or part by subsequent order. Further Executive Orders 11-07, 11-11, and 11-14 are extended until March 15, 2012, unless extended in whole or part by subsequent order	Dec. 14, 2011	37 MoReg 95
11-24	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Nov. 18, 2011	37 MoReg 5
11-23	Extends Executive Order 11-20 until October 15, 2011, and extends Executive Orders 11-06, 11-07, 11-08, 11-11, 11-14, and 11-18 until December 18, 2011	Sept. 13, 2011	36 MoReg 2157
11-22	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	July 26, 2011	36 MoReg 1979
11-21	Authorizes the Joplin Public School system to immediately begin to retrofit, equip, and furnish various buildings to house students during the 2011-2012 school year without requiring advertisements for bids	June 17, 2011	36 MoReg 1800
11-20	Extends certain terms of Executive Order 11-12 to help Missouri citizens impacted by the Joplin tornado of April 22, 2011	June 17, 2011	36 MoReg 1798
11-19	Extends certain terms of Executive Orders 11-06, 11-07, 11-08, 11-10, 11-11, 11-13, 11-14, 11-15, 11-16, and 11-18 until September 15, 2011	June 17, 2011	36 MoReg 1796
11-18	Activates the state militia in response to flooding events occurring and threatening along the Missouri River	June 8, 2011	36 MoReg 1739
11-17	Establishes the State of Missouri Resource, Recovery & Rebuilding Center in the City of Joplin in response to a tornado that struck there on May 22, 2011	June 7, 2011	36 MoReg 1737
11-16	Authorizes the Joplin Public Schools to immediately begin to retrofit and furnish warehouse and retail structures to house district programs displaced by the tornado and severe storms on May 22, 2011, without requiring advertisements for bids	June 3, 2011	36 MoReg 1735
11-15	Authorizes the Joplin Public School system to immediately rebuild, restore, and/or renovate Emerson Elementary, Kelsey Norman Elementary, Old South Middle School, and Washington Education Center without requiring advertisement for bids	June 1, 2011	36 MoReg 1594
11-14	Activates the state militia in response to a tornado that hit the City of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1592
11-13	Authorizes the Joplin Public Schools system to immediately begin rebuilding and replacing the materials for three of its buildings that were destroyed in a tornado that struck on May 22, 2011, without requiring advertisement for bids	May 26, 2011	36 MoReg 1590
11-12	Orders the director of the Department of Insurance, Financial Institutions and Professional Registration to temporarily waive, suspend, and/or modify any statute or regulation under his purview in order to best serve the interests of those citizens affected by the tornado that hit the city of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1587

Executive Orders	Subject Matter	Filed Date	Publication
11-11	Orders the director of revenue to issue duplicate or replacement license, nondriver license, certificate of motor vehicle ownership, number plate, or tabs lost or destroyed as a result of the tornado that hit the city of Joplin and to waive all state fees and charges for such duplicate or replacement	May 26, 2011	36 MoReg 1585
11-10	Orders the Missouri Department of Health and Senior Services and the State Board of Pharmacy to temporarily waive certain rules and regulations to allow medical practitioners and pharmacists responding to the tornado and severe storms in Joplin to best serve the interests of public health and safety	May 24, 2011	36 MoReg 1583
11-09	Extends Executive Orders 11-06, 11-07, and 11-08 through June 20, 2011	May 20, 2011	36 MoReg 1581
11-08	Activates the state militia in response to severe weather that began on April 22	April 25, 2011	36 MoReg 1449
11-07	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on April 22	April 25, 2011	36 MoReg 1447
11-06	Declares a state of emergency for the state of Missouri and activates the Missouri State Emergency Operations Plan due to severe weather that began on April 22	April 22, 2011	36 MoReg 1445
11-05	Orders the Missouri Department of Transportation to assist local jurisdictions in counties that: 1) received record snowfalls; and 2) continuing snow clearance exceeds their capabilities	Feb. 4, 2011	36 MoReg 883
11-04	Activates the state militia in response to severe weather that began on January 31, 2011	Jan. 31, 2011	36 MoReg 881
11-03	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	Jan. 31, 2011	36 MoReg 879
11-02	Extends the declaration of emergency contained in Executive Order 10-27 and the terms of Executive Order 11-01 through February 28, 2011	Jan. 28, 2011	36 MoReg 877
11-01	Gives the Director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe winter weather that began on December 30	Jan. 4, 2011	36 MoReg 705

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, MISSOURI STATE BOARD OF

privilege to practice; 20 CSR 2010-2.022; 1/17/12, 5/1/12

AGRICULTURE

animal health

movement of livestock, poultry, and exotic animals within Missouri; 2 CSR 30-2.020; 6/1/12

plant industries

acceptable insurance and bond forms for commercial applicants; 2 CSR 70-25.065; 4/16/12

assessment of administrative penalties; 2 CSR 70-30.110; 4/16/12

processed animal waste products as animal feed ingredients; 2 CSR 70-30.115; 4/16/12

state milk board

adoption of the *Grade A Pasteurized Milk Ordinance (PMO)*, 2011 revision of the United States Department of Health and Human Services, Public Health Service/Food and Drug Administration; 2 CSR 80-2.180; 4/16/12

animal health; 2 CSR 80-2.080; 4/16/12

definitions; 2 CSR 80-2.010; 4/2/12

enforcement; 2 CSR 80-2.151; 4/16/12

examination of milk and milk products, the; 2 CSR 80-2.060; 4/16/12

future dairy farms and milk plants; 2 CSR 80-2.121; 4/16/12

general organization; 2 CSR 80-1.010; 4/16/12

inspection frequency and procedure; 2 CSR 80-2.050; 4/16/12

labeling; 2 CSR 80-2.040; 4/16/12

milk and milk products from points beyond the limits of routine inspection; 2 CSR 80-2.110; 4/16/12

milk and milk products which may be sold; 2 CSR 80-2.091; 4/16/12

penalty; 2 CSR 80-2.161; 4/16/12

permits; 2 CSR 80-2.030; 4/16/12

personnel health; 2 CSR 80-2.130; 4/16/12

procedure when infection is suspected; 2 CSR 80-2.141; 4/16/12

rules for import milk; 2 CSR 80-4.010; 4/16/12

sale of adulterated, misbranded milk, or milk products; 2 CSR 80-2.020; 4/16/12

separability clause; 2 CSR 80-2.170; 4/16/12

standards for milk and milk products; 2 CSR 80-2.070; 4/16/12

transferring; delivery containers; cooling; 2 CSR 80-2.101; 4/16/12

AIR QUALITY, AIR POLLUTION CONTROL

certain coals to be washed; 10 CSR 10-5.130; 11/1/11, 4/16/12

control of emissions from

hand-fired equipment; 10 CSR 10-5.040; 11/1/11, 4/16/12

industrial solvent cleaning operations; 10 CSR 10-5.455; 11/1/11, 4/16/12

construction permits required; 10 CSR 10-6.060; 3/1/12

control of heavy duty diesel vehicle idling emissions

10 CSR 10-2.385; 12/1/11, 6/1/12

10 CSR 10-5.385; 12/1/11, 6/1/12

definitions and common reference tables; 10 CSR 10-6.020; 11/1/11, 4/16/12

emission standards for hazardous air pollutants; 10 CSR 10-6.080; 6/15/12

emissions banking and trading; 10 CSR 10-6.410; 3/1/12

maximum achievable control technology regulations; 10 CSR 10-6.075; 6/15/12

municipal solid-waste landfills; 10 CSR 10-5.490; 11/1/11, 4/16/12

new source performance regulations; 10 CSR 10-6.070; 6/15/12

on-board diagnostics motor vehicle emissions inspection; 10 CSR 10-5.381; 6/15/12

operating permits; 10 CSR 10-6.065; 3/1/12

restriction of emission of particulate matter from industrial sources; 10 CSR 10-6.400; 11/1/11, 4/16/12

restriction of emission of sulfur compounds; 10 CSR 10-6.260; 3/1/12

restriction of emissions from municipal waste landfills; 10 CSR 10-6.310; 11/1/11, 4/16/12

ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, MISSOURI BOARD FOR

continuing education for landscape architects; 20 CSR 2030-11.035; 12/1/11, 4/16/12

continuing professional competency for professional engineers; 20 CSR 2030-11.015; 12/1/11, 4/16/12

definitions; 20 CSR 2030-14.050; 12/1/11, 4/16/12

standards of care; 20 CSR 2030-2.040; 12/1/11, 4/16/12

title block; 20 CSR 2030-2.050; 12/1/11, 4/16/12

AUDITOR, STATE

annual financial reports of political subdivisions; 15 CSR 40-3.030; 4/2/12

reasonable notice for bonds sold at public sale; 15 CSR 40-3.020; 4/2/12

submission of proposed statements of fiscal impact; 15 CSR 40-5.010; 4/2/12

CERTIFICATE OF NEED PROGRAM

application review schedule; 19 CSR 60-50; 4/2/12, 5/1/12, 5/15/12, 6/1/12

CLEAN WATER COMMISSION

general pretreatment regulation; 10 CSR 20-6.100; 12/15/11, 3/1/12

water quality tables; 10 CSR 20-7.031; 12/1/11, 5/15/12

CONSERVATION, DEPARTMENT OF

closed hours; 3 CSR 10-12.109; 4/16/12

hunting and trapping; 3 CSR 10-12.125; 4/16/12

hunting, general provisions and seasons; 3 CSR 10-11.180; 4/16/12

pets and hunting dogs; 3 CSR 10-11.120; 4/16/12

restricted zones; 3 CSR 10-6.415; 4/16/12

use of boats and motors; 3 CSR 10-12.110; 4/16/12

CREDIT UNIONS, DIVISION OF

audit by supervisory committee; 20 CSR 1100-2.170; 6/15/12

audits in lieu of examination: procedure; 20 CSR 1100-2.100; 6/15/12

completing dissolution of credit union; 20 CSR 1100-2.070; 6/15/12

credit union service organization (CUSO); 20 CSR 1100-2.085; 6/15/12

membership; 20 CSR 1100-2.020; 6/15/12

surety bond requirement; 20 CSR 1100-2.030; 6/15/12

unlocatable members; small share balances: how to handle; 20 CSR 1100-2.090; 6/15/12

DENTAL BOARD, MISSOURI

licensure by credentials—dental hygienists; 20 CSR 2110-2.070; 4/16/12

licensure by credentials—dentists; 20 CSR 2110-2.030; 4/16/12

licensure by examination—dental hygienists; 20 CSR 2110-2.050; 4/16/12

licensure by examination—dentists; 20 CSR 2110-2.010; 4/16/12

DEALER LICENSURE

dealer seminar certification requirements; 12 CSR 10-26.210; 3/1/12, 6/15/12

DIETITIANS, STATE COMMITTEE OF

application for licensure/grandfather clause/reciprocity; 20 CSR 2115-2.010; 12/15/11, 4/2/12 fees; 20 CSR 2115-1.040; 12/15/11, 4/2/12 license renewal; 20 CSR 2115-2.040; 12/15/11, 4/2/12 inactive status; 20 CSR 2115-2.045; 12/15/11, 4/2/12 qualifications for licensure; 20 CSR 2115-2.020; 12/15/11, 4/2/12

DRINKING WATER COMMISSION, SAFE

acceptable and alternative methods for analysis; 10 CSR 60-5.010; 11/15/11, 4/2/12 applicability of corrosion control treatment steps to small, medium-size, and large water systems; 10 CSR 60-15.020; 11/15/11, 4/2/12 consumer confidence reports; 10 CSR 60-8.030; 11/15/11, 4/2/12 general requirements; 10 CSR 60-15.010; 11/15/11, 4/2/12 lead service line replacement requirements; 10 CSR 60-15.050; 11/15/11, 4/2/12 monitoring requirements for lead and copper in source water; 10 CSR 60-15.090; 11/15/11, 4/2/12 tap water; 10 CSR 60-15.070; 11/15/11, 4/2/12 water quality parameters; 10 CSR 60-15.080; 11/15/11, 4/2/12 public education and supplemental monitoring requirements; 10 CSR 60-15.060; 11/15/11, 4/2/12 public education requirements; 10 CSR 60-15.060; 11/15/11, 4/2/12 reporting requirements for lead and copper monitoring; 10 CSR 60-7.020; 11/15/11, 4/2/12 source water treatment requirements; 10 CSR 60-15.040; 11/15/11, 4/2/12

ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF

A+ schools program; 5 CSR 20-100.200; 4/2/12 administration of high school equivalence program; 5 CSR 20-500.330; 6/1/12 application for a career education certificate of license to teach; 5 CSR 20-400.190; 4/2/12 application for a student services certificate of license to teach; 5 CSR 20-400.170; 4/2/12 application for an adult education and literacy certificate of license to teach; 5 CSR 20-400.200; 4/2/12 application for certificate of license to teach; 5 CSR 20-400.150; 4/2/12 application for certificate of license to teach for administrators; 5 CSR 20-400.160; 4/2/12 charter schools; 5 CSR 20-100.250; 3/1/12 certificate of license to teach classifications; 5 CSR 20-400.260; 4/2/12 certificate of license to teach content areas; 5 CSR 20-400.250; 4/2/12 general provisions; 5 CSR 50-380.010; 1/17/12, 6/1/12 individuals with disabilities education act, part C; 5 CSR 20-300.120; 4/2/12 minimum requirements for school bus chassis and body; 5 CSR 30-261.025; 6/1/12 read to be ready grant program; 5 CSR 50-378.100; 1/17/11, 6/1/12 reductions of pupil/teacher ratio for children at risk; 5 CSR 50-390.010; 1/17/12, 6/1/12 required assessments for professional education certification in Missouri; 5 CSR 20-400.280; 4/2/12 temporary authorization certificate of license to teach; 5 CSR 20-400.180; 4/2/12

ENERGY, DIVISION OF

certification of renewable energy and renewable energy standard compliance account; 10 CSR 140-8.010; 4/2/12

EXECUTIVE ORDERS

activates the state militia in response to severe weather that began on February 28, 2012; 12-04; 4/2/12 declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012; 12-03; 4/2/12 extends Executive Orders 11-06, 12-03, 11-11, 11-14, and 12-04 until June 1, 2012; 12-05; 4/16/12

FAMILY SUPPORT DIVISION

spend down program; 13 CSR 40-2.395; 4/2/12

GAMING COMMISSION, MISSOURI

code of ethics; 11 CSR 45-1.015; 11/1/11, 4/2/12 minimum internal control standards (MICS)-chapter F; 11 CSR 45-9.106; 3/1/12 minimum internal control standards (MICS)-chapter H; 11 CSR 45-9.108; 12/1/11, 5/1/12 minimum internal control standards (MICS)-chapter N; 11 CSR 45-9.114; 5/1/12 minimum internal control standards (MICS)-chapter R; 11 CSR 45-9.118; 1/17/12, 6/1/12 minimum internal control standards (MICS)-chapter T; 11 CSR 45-9.120; 3/1/12 objectives of an internal control system; 11 CSR 45-9.020; 6/1/12 operator content delivery systems; 11 CSR 45-5.194; 7/1/11, 12/1/11 participation in gambling games by a holder of a Class A or supplier license, and the directors, officers, key persons, or employees of such licensees; 11 CSR 45-5.030; 11/1/11, 4/2/12 participation in games by employees of the commission; 11 CSR 45-1.080; 11/1/11, 4/2/12 patrons unlawfully on excursion gambling boat-not eligible for gambling game winnings; 11 CSR 45-5.065; 11/1/11, 4/2/12 poker cards-receipt, storage, inspections, and removal from use; 11 CSR 45-5.185; 3/1/12 promotional activities; 11 CSR 45-5.181; 5/1/12 rules of liquor control; 11 CSR 45-12.090; 11/1/11, 4/2/12 tips and gifts; 11 CSR 45-8.130; 3/1/12

GEOLOGIST REGISTRATION, MISSOURI BOARD OF
fees; 20 CSR 2145-1.040; 1/3/12, 3/15/12, 4/16/12**HEALING ARTS, STATE BOARD OF REGISTRATION FOR THE**

acceptable continuing education; 20 CSR 2150-3.203; 2/1/12, 5/15/12 complaint and report handling and disposition procedure; 20 CSR 2150-1.011; 2/1/12, 5/15/12 general provisions; 20 CSR 2150-5.026; 2/15/12 medication therapy services by protocol; 20 CSR 2150-5.028; 2/15/12 procedural process for registration; 20 CSR 2150-4.205; 2/1/12 public complaint handling and disposition procedure; 20 CSR 2150-1.011; 2/1/12, 5/15/12 scope of practice; 20 CSR 2150-4.203; 2/1/12 supervision requirements; 20 CSR 2150-4.201; 2/1/12

HEALTH AND SENIOR SERVICES

community and public health, division of day care immunization rule; 19 CSR 20-28.040; 1/3/12, 5/1/12 immunization requirements for school children; 19 CSR 20-28.010; 1/3/12, 5/1/12 environmental health & communicable disease prevention human immunodeficiency virus (HIV) antibody HIV treatment program; 19 CSR 20-26.030; 4/2/12

physician human immunodeficiency virus (HIV) test consultation and reporting; 19 CSR 20-26.040; 4/2/12 regulation and licensure administrative, personnel, and resident care requirements for assisted living facilities; 19 CSR 30-86.047; 4/2/12 administrative, personnel, and resident care requirements for facilities licensed as a residential care facility II on August 27, 2006 that will comply with residential care facility II standards; 19 CSR 30-86.043; 4/2/12 fire safety and emergency preparedness standards for new and existing intermediate care and skilled nursing facilities; 19 CSR 30-85.022; 4/16/12 residential care facilities and assisted living facilities; 19 CSR 30-86.022; 4/16/12 lead abatement work practice standards; 19 CSR 30-70.630; 1/3/12, 5/1/12 level I medication aide training program; 19 CSR 30-84.030; 5/1/12 reasons and methods the department can use to take administrative licensure actions; 19 CSR 30-40.365; 4/2/12 resident assessment instrument; 19 CSR 30-81.015; 4/2/12 residents' funds and property; 19 CSR 30-88.020; 4/16/12 work practice standards for a lead risk assessment; 19 CSR 30-70.620; 1/3/12, 5/1/12

HEARING INSTRUMENT SPECIALISTS, BOARD OF EXAMINERS FOR

continuing education requirements; 20 CSR 2165-2.050; 1/17/12

HIGHWAYS AND TRANSPORTATION COMMISSION

skill performance evaluation certificates for commercial drivers; 7 CSR 10-25.010; 4/2/12, 5/15/12, 6/15/12

HOUSING DEVELOPMENT COMMISSION, MISSOURI
application and notification process; 4 CSR 170-7.040; 1/3/12, 5/1/12
compliance requirements; 4 CSR 170-7.050; 1/3/12, 5/1/12
compliance requirements and suspension and recapture of funds; 4 CSR 170-7.500; 1/3/12, 5/1/12
definitions
 4 CSR 170-7.020; 1/3/12, 5/1/12
 4 CSR 170-7.200; 1/3/12, 5/1/12
introduction
 4 CSR 170-7.010; 1/3/12, 5/1/12
 4 CSR 170-7.100; 1/3/12, 5/1/12
Missouri housing trust fund funding process, recapture of undistributed Missouri housing trust fund funds and re-awarding of undistributed recaptured funds; 4 CSR 170-7.400; 1/3/12, 5/1/12
preparation of application; 4 CSR 170-7.030; 1/3/12, 5/1/12
procedures for contesting decisions by the commission regarding the funding and recapture of Missouri housing trust fund funds; 4 CSR 170-7.600; 1/3/12, 5/1/12
proposal application, selection, and notification process; 4 CSR 170-7.300; 1/3/12, 5/1/12

INSURANCE
applied behavior analysis maximum benefit; 20 CSR; 3/15/12
extended Missouri and Missouri mutual companies' financial reinsurance requirements; 20 CSR 200-12.030; 2/15/12
grievance review procedures; 20 CSR 100-5.020; 12/15/11, 2/1/12, 5/15/12
licensing and authorization of portable electronics insurance producers and related entities; 20 CSR 700-1.160; 2/1/12
licensure of motor vehicle extended service contract producers; 20 CSR 200-18.030; 2/1/12

LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

employment security registration and claims in general; 8 CSR 10-3.010; 5/1/12

telephone hearings before a hearing officer; 8 CSR 10-5.030; 3/1/12, 6/15/12

MARTIAL AND FAMILY THERAPISTS, STATE COMMITTEE OF

application for licensure; 20 CSR 2233-2.030; 12/15/11, 4/2/12
general principles; 20 CSR 2233-3.010; 12/15/11, 4/2/12
registered supervisors and supervisory responsibilities; 20 CSR 2233-2.021; 12/15/11, 4/2/12
renewal of license; 20 CSR 2233-2.050; 12/15/11
supervised marital and family work experience; 20 CSR 2233-2.020; 12/15/11, 4/2/12

MENTAL HEALTH, DEPARTMENT OF

admission criteria; 9 CSR 30-4.042; 1/3/12, 5/15/12
appeals procedure for service eligibility through the Division of Developmental Disabilities; 9 CSR 45-2.020; 3/1/12
certification standards definitions; 9 CSR 30-4.030; 1/3/12, 5/15/12
client records of a community psychiatric rehabilitation program; 9 CSR 30-4.035; 1/3/12, 5/15/12
community mental health center clinic UPL; 9 CSR 10-31.040; 3/1/12
eligibility for services from the Division of Developmental Disabilities; 9 CSR 45-2.010; 3/1/12
health home; 9 CSR 10-5.240; 11/15/11, 2/1/12, 4/16/12
personnel and staff development; 9 CSR 30-4.034; 1/3/12, 5/15/12
prioritizing access to funded services; 9 CSR 45-2.015; 3/1/12
psychosocial rehabilitation; 9 CSR 30-4.046; 1/3/12, 5/15/12
service provision; 9 CSR 30-4.039; 1/3/12, 5/15/12
treatment provided by community psychiatric rehabilitation programs; 9 CSR 30-4.043; 1/3/12, 5/15/12
utilization review process; 9 CSR 45-2.017; 3/1/12

MISSOURI CONSOLIDATED HEALTH CARE PLAN

general organization; 22 CSR 10-1.010; 12/1/11, 4/16/12
public records; 22 CSR 10-1.020; 12/1/11, 4/16/12
public entity membership
 coordination of benefits; 22 CSR 10-3.070; 12/1/11, 4/16/12
 definitions; 22 CSR 10-3.010; 12/1/11, 4/16/12
 dental benefit summary; 22 CSR 10-3.092; 12/1/11, 4/16/12
 dental coverage; 22 CSR 10-3.092; 12/1/11, 4/16/12
 fully-insured medical plan provisions; 22 CSR 10-3.100; 12/1/11, 4/16/12
 general membership provisions; 22 CSR 10-3.020; 12/1/11, 4/16/12
 pharmacy benefit summary; 22 CSR 10-3.090; 12/1/11, 4/16/12
 plan benefit provisions and covered charges
 high deductible health; 22 CSR 10-3.055; 12/1/11, 4/16/12
 medical; 22 CSR 10-3.057; 12/1/11, 4/16/12
 PPO 600; 22 CSR 10-3.056; 12/1/11, 4/16/12
 PPO 1000; 22 CSR 10-3.053; 12/1/11, 4/16/12
 PPO 2000; 22 CSR 10-3.054; 12/1/11, 4/16/12
 plan utilization review policy; 22 CSR 10-3.045; 12/1/11, 4/16/12
 PPO 600 plan, PPO 1000 plan, PPO 2000 plan, and HDHP limitations; 22 CSR 10-3.060; 12/1/11, 4/16/12
 public entity membership agreement and participation period; 22 CSR 10-3.030; 12/1/11, 4/16/12
 review and appeals procedure; 22 CSR 10-3.075; 12/1/11, 4/16/12
 subscribers agreement and general membership provisions; 22 CSR 10-3.020; 12/1/11, 4/16/12
 vision benefit summary; 22 CSR 10-3.093; 12/1/11, 4/16/12
 vision coverage; 22 CSR 10-3.093; 12/1/11, 4/16/12
state membership
 coordination of benefits; 22 CSR 10-2.070; 12/1/11, 4/16/12
 contributions; 22 CSR 10-2.030; 12/1/11, 4/16/12
 definitions; 22 CSR 10-2.010; 12/1/11, 4/16/12
 dental benefit summary; 22 CSR 10-2.092; 12/1/11, 4/16/12
 dental coverage; 22 CSR 10-2.092; 12/1/11, 4/16/12

fully-insured medical plan provisions; 22 CSR 10-2.100; 12/1/11, 4/16/12
 general membership provisions; 22 CSR 10-2.020; 12/1/11, 4/16/12
 pharmacy benefit summary; 22 CSR 10-2.090; 12/1/11, 4/16/12
 plan benefit provisions and covered charges
 high deductible health; 22 CSR 10-2.053; 12/1/11, 4/16/12
 medical; 22 CSR 10-2.055; 12/1/11, 4/16/12
 Medicare supplement; 22 CSR 10-2.054; 12/1/11, 4/16/12
 PPO 300; 22 CSR 10-2.051; 12/1/11, 4/16/12
 PPO 600; 22 CSR 10-2.052; 12/1/11, 4/16/12
 plan utilization review policy; 22 CSR 10-2.045; 12/1/11, 4/16/12
 PPO 300 plan, PPO 600 plan, and HDHP limitations; 22 CSR 10-2.060; 12/1/11, 4/16/12
 review and appeals procedure; 22 CSR 10-2.075; 12/1/11, 4/16/12
 TRICARE supplement plan; 22 CSR 10-2.095; 12/1/11, 4/16/12
 vision benefit summary; 22 CSR 10-2.093; 12/1/11, 4/16/12
 vision coverage; 22 CSR 10-2.093; 12/1/11, 4/16/12

MO HEALTHNET

dental benefits and limitations, MO HealthNet program; 13 CSR 70-35.010; 11/1/11, 4/2/12
 disproportionate share hospital payments; 13 CSR 70-15.220; 5/1/12
 MO HealthNet primary care health homes; 13 CSR 70-3.240; 1/17/12, 6/1/12
 payment policy for a preventable serious adverse event or hospital or ambulatory surgical center-acquired condition; 13 CSR 70-15.200; 1/3/12, 5/1/12
 payment policy for provider preventable conditions; 13 CSR 70-3.230; 1/3/12, 5/1/12
 placement of liens on property of certain institutionalized MO HealthNet eligible persons; 13 CSR 70-4.110; 1/17/12, 5/1/12
 public/private long term care services and supports partnership supplemental payment to nursing homes; 13 CSR 70-10.160; 3/15/12

MOTOR VEHICLE

notice of lien; 12 CSR 10-23.446; 2/15/11, 6/1/12

OCCUPATIONAL THERAPIST, MISSOURI BOARD OF

application for licensure
 occupational therapist; 20 CSR 2205-3.010; 2/1/12, 5/15/12
 occupational therapist assistant; 20 CSR 2205-3.020; 2/1/12, 5/15/12
 application for limited permit; 20 CSR 2205-3.030; 2/1/12, 5/15/12

PHARMACY, STATE BOARD OF

certificate of medication therapeutic plan authority; 20 CSR 2220-6.070; 2/15/12
 general provisions; 20 CSR 2220-6.060; 2/15/12
 medication therapy services by protocol; 20 CSR 2220-6.080; 2/15/12
 minimum standards for multi-med dispensing; 20 CSR 2220-2.145; 2/1/12, 5/15/12
 prescription requirements; 20 CSR 2220-2.013; 6/15/12

POLICE COMMISSIONERS, BOARDS OF

St. Louis board of police commissioners
 administration and command of the private security section
 17 CSR 20-2.015; 6/1/12
 17 CSR 20-3.015; 6/1/12

authority; 17 CSR 20-2.065; 6/1/12
 complaint/disciplinary procedures; 17 CSR 20-2.125; 6/1/12
 definitions
 17 CSR 20-2.025; 6/1/12
 17 CSR 20-3.025; 6/1/12
 licensing; 17 CSR 20-2.035; 6/1/12
 training
 17 CSR 20-2.055; 6/1/12
 17 CSR 20-3.055; 6/1/12
 uniforms
 17 CSR 20-2.085; 6/1/12
 17 CSR 20-3.085; 6/1/12
 weapons
 17 CSR 20-2.105; 6/1/12
 17 CSR 20-3.105; 6/1/12

PROBATION AND PAROLE, STATE BOARD OF

arrest and detention of an alleged violator; 14 CSR 80-4.010; 2/1/12, 5/15/12
 conditions of lifetime supervision; 14 CSR 80-3.020; 12/1/11, 4/2/12
 conditions of probation and parole; 14 CSR 80-3.010; 12/1/11, 4/2/12
 definitions for intervention fee; 14 CSR 80-5.010; 12/1/11, 4/2/12
 intervention fee procedure; 14 CSR 80-5.020; 12/1/11, 4/2/12
 preliminary hearing; 14 CSR 80-4.020; 2/1/12, 5/15/12
 revocation hearing; 14 CSR 80-4.030; 2/1/12, 5/15/12

PROFESSIONAL REGISTRATION, DIVISION OF

designation of license renewal dates and related renewal information; 20 CSR 2231-2.010; 1/3/12, 6/1/12

PUBLIC SAFETY, DEPARTMENT OF

computer-based continuing education training for 911 telecommunicators; 11 CSR 30-13.110; 2/1/12
 continuing education requirement; 11 CSR 10-12.060; 2/1/12
 definitions
 11 CSR 10-12.020; 2/1/12
 11 CSR 30-13.020; 2/1/12
 exemptions and waiver of initial training requirement
 11 CSR 10-12.040; 2/1/12
 11 CSR 30-13.040; 2/1/12
 general organization
 11 CSR 10-12.010; 2/1/12
 11 CSR 30-13.010; 2/1/12
 initial training
 11 CSR 10-12.030; 2/1/12
 11 CSR 30-13.030; 2/1/12
 in-service continuing education training for 911 telecommunicators;
 11 CSR 30-13.100; 2/1/12
 minimum standards for continuing education training; 11 CSR 30-13.060; 2/1/12
 out-of-state, federal, and organizations continuing education credit for 911 telecommunicators; 11 CSR 30-13.090; 2/1/12
 payment for sexual assault forensic examinations; 11 CSR 30-12.010; 1/17/12
 procedure to obtain approval for an individual continuing education course for 911 telecommunicators; 11 CSR 30-13.080; 2/1/12
 procedure to obtain continuing education provider approval for 911 telecommunicators; 11 CSR 30-13.070; 2/1/12
 requirements for continuing education
 11 CSR 10-12.050; 2/1/12
 11 CSR 30-13.050; 2/1/12

PUBLIC SERVICE COMMISSION

ex parte and extra-record communications; 4 CSR 240-4.020; 11/1/11, 4/2/12
 net metering; 4 CSR 240-20.065; 3/1/12

RETIREMENT SYSTEMS

county employees' retirement fund

 administration of fund; 16 CSR 50-2.160; 2/1/12, 6/1/12
 creditable service; 16 CSR 50-3.010; 2/1/12, 6/1/12
 definitions; 16 CSR 50-2.010; 2/1/12, 6/1/12

LAGERS (Missouri local government employees' retirement system)

 re-employment in LAGERS-covered employment after retirement; 16 CSR 20-2.083; 6/1/12

public school retirement system of Missouri, the
 beneficiary

 16 CSR 10-5.030; 2/1/12, 5/15/12
 16 CSR 10-6.090; 2/1/12, 5/15/12

management of funds

 16 CSR 10-3.020; 6/1/12
 16 CSR 10-6.030; 6/1/12

SECURITIES

exemptions from registration for broker-dealers, agents, investment
advisers, and investment adviser representatives; 15 CSR
30-51.180; 6/1/12

custody of securities or funds by investment advisers; 15 CSR 30-
51.100; 6/1/12

STATE TAX COMMISSION

agricultural land productive values; 12 CSR 30-4.010; 2/1/12,
5/15/12

TREASURER

Missouri MOST 529 matching grant program; 15 CSR 50-4.030;
5/15/12

VETERINARY MEDICAL BOARD, MISSOURI

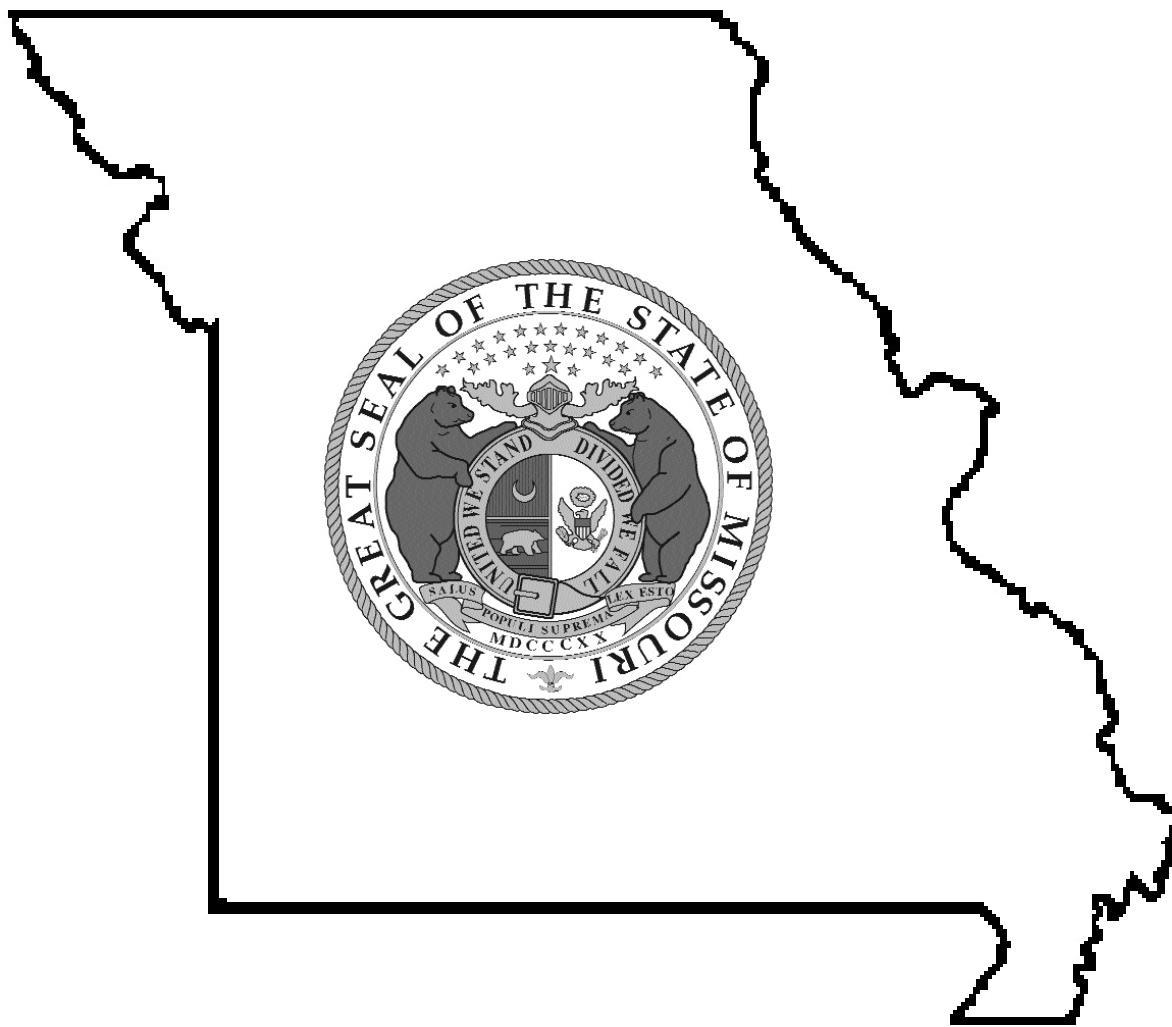
examinations

 20 CSR 2270-2.031; 2/1/12, 5/15/12
 20 CSR 2270-3.020; 2/1/12, 5/15/12

fees; 20 CSR 2270-1.021; 2/1/12, 5/15/12
reexamination; 20 CSR 2270-2.041; 2/1/12, 5/15/12

RULEMAKING 1-2-3

DRAFTING AND STYLE MANUAL

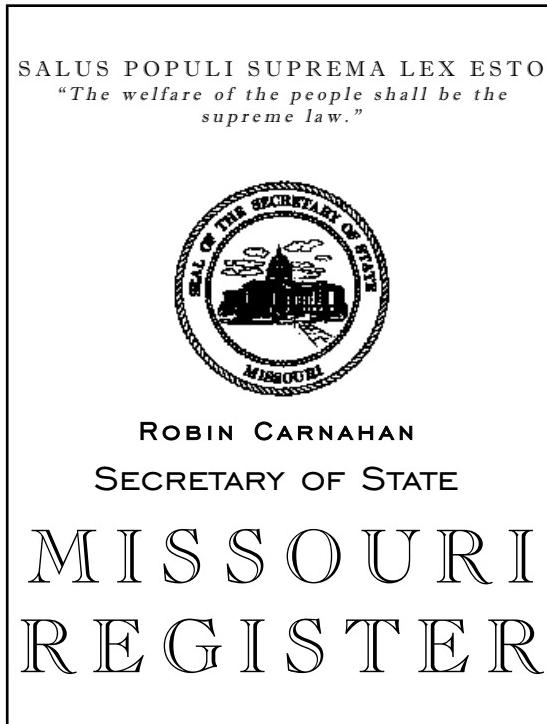


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